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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 17th December, 1963 :—

Issue No.	No. and Date	Issued by	Subject
252	S.Os. 3478 to 3480, dated 11th December, 1963.	Ministry of Law	Declarations to fill casual vacancies in the Council of States.
253	S.O. 3481, dated 13th December, 1963.	Ministry of International Trade.	Cancellation of S.O. 2654, dated 12th September, 1963.
254	S.O. 3482, dated 13th December, 1963.	Ministry of Transport.	Constitution of the National Welfare Board for Seafarers.
255	S.O. 3483, dated 13th December, 1963.	Ministry of Steel, Mines and Heavy Engineering.	Acquiring Land Specified in the Schedule therein.
256	S.O. 3484, dated 16th December, 1963.	Ministry of International Trade	Cancellation of S.O. 1274 dated 28th April, 1962.
257	S.O. 3485, dated 16th December, 1963.	Do.	Rescinding S.O. 3107, dated 30th October, 1963.
258	S.O. 3547, dated 16th December, 1963.	Ministry of Information and Broadcasting.	Approval of films specified therein
259	S.O. 3548, dated 17th December, 1963.	Ministry of International Trade.	Authorising M/s. Raja Ram and Brothers to take over the management and also appointing them as Managing Agents of Bengal Nagpur Cotton Mills Ltd., Rajnandgaon.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 20th December 1963

S.O. 3554.—In pursuance of sub-section (6) of section 116A of the Representation of the People Act, 1951, the Election Commission hereby publishes the decision of the High Court of Judicature at Patna, given on the 14th November, 1963, on an appeal from the order dated the 12th February, 1963 of the Election Tribunal, Ranchi.

ELECTION APPEAL No. 4 OF 1963

From a decision of Shri Syed Bahauddin Ahmad, (Judicial Commissioner, Chotanagpur, Ranchi), Member, Election Tribunal, Ranchi, dated the 12th February, 1963.

Kartik Oraon—Appellant.

Versus

1. Shri David Munzni, and
2. Shri Ignes Beck—Respondents.

For the Appellant: Messrs. Balabhadra Prasad Singh and Nagendra Prasad Singh No. 1.

For the Respondents: Messrs. Kailash Ray, Shambhu Saran and Kumar Sidheshwar Prasad Singh.

PRESENT:

THE HON'BLE MR. JUSTICE CHOUDHARY

AND

THE HON'BLE MR. JUSTICE A. B. N. SINHA

Choudhary, J.—This appeal under section 116A of the Representation of the People Act, 1951 (Act 43 of 1951) is directed against the judgment and order of the Election Tribunal, presided over by Shri Syed Bahauddin Ahmad, Judicial Commissioner of Chotanagpur, Ranchi, dated the 12th of February, 1963, by which he dismissed the election petition filed by the appellant under section 81 of the said Act.

In the last general election the appellant and the two respondents were rival candidates for the Parliamentary seat from Lohardaga Parliamentary (Scheduled Tribes) Constituency. The appellant was the official candidate of the Congress party, the respondent No. 1 was the official candidate of the Swatantra party and the respondent No. 2 was the official candidate of the Jharkhand party. The result of the election was declared on the 2nd of March, 1962, declaring respondent No. 1 to have been duly elected. The appellant polled 41,804 votes, while respondent No. 1 polled 58,173 votes and respondent No. 2 polled 31,744 votes. The appellant, therefore, filed an election petition challenging the validity of the election of respondent No. 1—who will hereinafter be referred to as 'the respondent'—and praying for a declaration that he was the duly elected candidate from Lohardaga Lok Sabha seat (Scheduled Tribes). It was also prayed that, if that be not possible, the entire election be declared as void.

Before the Election Tribunal several grounds were taken for establishing the invalidity of the election all of which were negatived by the Election Tribunal and the election petition was accordingly dismissed. Mr. Singh, appearing for the appellant, however, has pressed only three points in support of the appeal, namely, (1) that the respondent was guilty of corrupt practices by publishing and distributing two pamphlets, Exts. 1 and 1/a, inciting communal feeling, caste feeling and caste and community hatred between classes and thereby exercising undue influence on the voters; (2) that he misled the voters by making a representation that the symbol "cycle", which was the symbol of the respondent, was the symbol of the appellant; and (3) that the two respondents are Indian Christians and, as such, they were not entitled to contest the Parliamentary seat concerned as candidates for a seat particularly meant for the Scheduled Tribes. Counsel for the

respondent has challenged the validity of all these points and has submitted that the appellant has entirely failed to establish anyone of them. It has, therefore, to be considered as to how far the appellant has been able to substantiate his case on these three points.

The first question that has to be determined is whether the respondent was responsible for the publishing and distributing of the two pamphlets. Exts 1 and 1/a, and whether they incited any communal or caste feeling or caste and community hatred. It may be mentioned that, along with the election petition, affidavits sworn by 12 persons in support of the election petition were filed as a part of the election petition itself. Out of them, 9 persons have been examined as witnesses on behalf of the appellant, namely, P.W's 1, 2, 3, 4, 5, 3, 9, 11 and 17. The evidence of these witnesses has been thoroughly considered by the Member of the Election Tribunal who rightly held that no reliance whatsoever could be placed on the evidence of any of these witnesses. P.W's 1 to 5, 3, 9, 17 and 23 have deposed about the distribution of Ext. 1; and P.W's 6, 7, 10 and 11 have given evidence with respect to the distribution of the pamphlet Ext. 1/a. P.W. 1 has stated in his examination-in-chief that he saw the respondent getting the pamphlet distributed in Burmu Bazar in his presence and the respondent himself was present at the time of the distribution. He is, however, a member of the Congress party and he had worked in the last general election for the Congress candidate of his constituency. He has sworn an affidavit which is printed in the paper-book at page 12. In that affidavit he did not state that the respondent himself was present at the time of the distribution of the pamphlet. Thus, this part of his evidence appears to be an afterthought. There is thus nothing in his evidence from which it can be said that the respondent himself was getting the pamphlet distributed. The evidence of P.W. 2 is that he saw the pamphlet being distributed in Kuru Bazar, but he could not give the name of the person who was distributing it. His evidence, therefore, does not establish that the pamphlet was distributed at the instance or by the agent of the respondent. Moreover, he is an unsummoned witness. P.W. 3 has stated that he had seen the pamphlet at the gate of Mandar Mission where it was being distributed by Mathias Khulko and the respondent was present at the time of its distribution. He, however, did not tell the appellant about the distribution of the pamphlet. He has also sworn an affidavit in this case and his evidence is that he did so at the instance of the appellant. Though in cross-examination he has stated that he had mentioned in his affidavit that the respondent was present at the time of the distribution of the pamphlet, there is no such statement in the affidavit, which is printed in the paper-book at page 14. Moreover, he also is an unsummoned witness. Like P.W. 1 his statement with regard to the presence of the respondent is an afterthought, and it is not possible to place any reliance on his evidence. From his evidence the implication of the respondent in distributing the pamphlet cannot be established. P.W. 4 has stated in his examination-in-chief that he saw the pamphlet being distributed in Lohardaga Bazar by Albia Lakra and the respondent was present at the place where it was being distributed. He was working for the Congress party at Lohardaga in the last general election. He has also sworn an affidavit which is printed in the paper-book at page 10. In that affidavit he has not stated that the pamphlet was being distributed by Albia Lakra and that the respondent was present at the place where it was being distributed. Thus, this part of his evidence is also an afterthought. P.W. 5 first stated that the pamphlet was distributed by the respondent in Domba Bazar, but subsequently he changed his version and said that the pamphlet were being actually distributed by his man and he was present at the place. He, however, did not know the man through whom the respondent was getting the pamphlet distributed. He is a member of the Congress party from the very beginning and he used to be paid by the Congress party when he used to attend the Bazars during the election. He was a volunteer for the appellant at Sisai in the last general election. He has also sworn an affidavit which is printed in the paper-book at page 13; but in that affidavit he did not state that the respondent was present at the place where the pamphlets were being distributed by his man. Thus, apart from his being an interested witness, this part of his evidence must be taken to be an afterthought. P.W. 8 has deposed that the pamphlet was distributed in Adar Bazar in his presence by the respondent and three or four other persons; three or four days before the general election. In cross-examination he, however, stated that he did not speak to Kartik Oraon (the appellant) till the time of his deposition about the distribution of the pamphlet by the respondent and others. He never met the appellant after the distribution of the pamphlet and did not know where the appellant lived. He has stated that he spoke about the distribution to a Magistrate and put in a petition about it before him. That petition has not been brought on the records of the case. He has also sworn an affidavit which is printed in the paper-book at page 18. There he did not make any statement that the pamphlet concerned were being distributed by the respondent. His

evidence in this regard, therefore, is also an afterthought. P.W. 9 had seen the pamphlet being circulated in Kuru Bazar two or three days before the general election of 1952; but he did not remember the names of the persons whom he saw distributing the pamphlets. The pamphlet, however, was not given to him and he took it from a man to whom it had been given; but he could not give the name of that man. He did not remember the name of any of the persons to whom the pamphlet was given during the circulation in Kuru Bazar. It is not, therefore, possible to accept his evidence. In any way, his evidence does not implicate the respondent in circulation of the pamphlet. P.W. 17 saw the pamphlet being distributed in Tender Bazar about two days before the polling by a man of the respondent and the respondent, according to him, was himself present at the time of its distribution. He, however, could not give the name of the man who was distributing the pamphlet. He had never seen the respondent before that date, nor did he ever see him after that incident. He has also sworn an affidavit which is printed in the paper-book at page 16. But he did not mention therein about the presence of the respondent at the time of the distribution of the pamphlet. This part of the evidence of this witness also is an afterthought. P.W. 23 claims to have been the official candidate of the Swatantra party for Bero Assembly Constituency in the last general election. He has come to depose that the pamphlet of the type of Ext. 1 was made over to him by the respondent for distribution in the villages where Christians resided and that he distributed the pamphlet before the election. In cross-examination, however, he has stated that he is of the opinion that Christian Oraons should not be allowed to contest Assembly or Parliamentary reserved seat. If that is so, it is not possible to believe that he was entrusted with the distribution of the pamphlet to promote the election of the respondent. He is an unsummoned witness and he has clearly stated that he came to depose because he too had something to say against the respondent. Moreover, on his own statement, he is a witness who does not like the respondent to be elected. No reliance can, therefore, be placed on the evidence of such a witness.

Thus, the evidence adduced on behalf of the appellant with respect to the distribution of the pamphlet, Ext. 1, is unworthy of credence and no reliance can be placed on the same.

In this connection reference may be made to the statement of P.W. 21, the proprietor of the Sudarshan Press, also where the two pamphlets were printed. With respect to the pamphlet Ext. 1 his statement is that its manuscript was given to him by one Shri Krishna Nath Sah Deo who, according to him, is the President of the District Swatantra party. He has stated that he received the remuneration of the pamphlets, but he did not give any cash memo. According to him, he received the payment on bill. That bill has not been produced. He also maintains account registers. They too have not been produced to support his statement. On his evidence, therefore, it cannot be held that the respondent had anything to do with the printing and publishing of the pamphlet Ext. 1.

Now I come to the second pamphlet, Ext. 1/a. The evidence of this point, as already observed, consists of the testimonies of P.W's 6, 7, 10 and 11. P.W. 6 claims to have seen the pamphlet being distributed by a volunteer of the Swatantra party. The way in which he came to give evidence clearly shows that he is a got-up witness. He did not receive any summons to appear as a witness and he came to Court as he was called by the appellant with whom he had no concern. The appellant met him two days before he came to Court and told him that he would have to depose. The appellant met his expenses for coming to Court. This witness did not know before that he would have to depose in this case. He did not remember the date or month in which he saw the pamphlet being distributed and he did not tell the appellant anything about it, nor did he give him the pamphlet. It is not understandable as to how the appellant asked him to depose when he had never stated to the appellant about the distribution of the pamphlet. I am unable to place any reliance on his evidence. P.W. 7 claims to have seen this pamphlet at many places in Lohardaga Vidhan Sabha Constituency some time before the election. In cross-examination he has stated that he came to Court as he was interested in this case and Sushil Babu, who was the chief worker of the appellant in the election, asked him to depose. He has further stated that he is interested in the appellant and wants that he should win. He did not know before the date of his deposition that he would have to depose in this case. Thus, he is both an interested and a got-up witness. P.W. 10 claims to have worked for the Swatantra party in the last general election in Lohardaga Constituency. He has stated that the respondent gave him the pamphlet (Ext. 1/a) for distribution in the different villages and he distributed them in certain villages. He has also stated that he had exchange of hot words with a worker of the appellant in village Korambey while distributing the pamphlet,

but he did not remember his name. He did not tell the appellant or any of his men about his distributing the pamphlet. He never told anybody about it. I am unable to understand how this witness could be picked up by the appellant to give evidence in support of his case. It may also be noted that on the first day of his deposition, namely, on the 5th of November, 1962, he identified a wrong pamphlet to be the pamphlet which he distributed. On the next day he came to state that he made that statement by mistake and the pamphlet that he distributed was Ext. 1/a. No reliance can, therefore, be placed on his evidence. P.W. 11 claims to be the person with whom P.W. 10 had exchange of hot words at the time of the distribution of the pamphlet. He also has stated that he had seen the pamphlet, Ext. 1/a, being distributed in Korambcy Bazar by a worker of the Swatantra party. In cross-examination he has stated that he wants that Christians should not contest the election from reserved seats of the Parliamentary and the State Assembly. He has also stated that he was a worker of the Congress party and was working for the Congress candidate in the last general election. He further stated that he was a candidate of the Congress party for the Assembly Constituency of Sissai in the general elections of 1952 and 1957 and that the respondent contested him on both the occasions. Thus, he is not on good terms with the respondent and has come to depose to fulfil his aim that Christians should not be elected on the reserved seats. It is not, therefore, possible to place any reliance on his evidence.

As regards the printing of this pamphlet, the evidence of P.Ws. 21, the proprietor of the Sudarshan Press, is that its manuscript was given to him by the respondent and it was printed strictly in accordance with the manuscript. He, however, did not take any declaration in writing from the respondent for printing the pamphlet, nor did he give any information either to the District Magistrate or to the Chief Electoral Officer about his printing the same. The names of the printer and the publisher are also missing from the pamphlet. As already observed, he has not produced the bill or the account registers to show that the remuneration for the printing of this pamphlet was paid by the respondent. It is not, therefore, possible to rely on his evidence for holding that the pamphlet, Ext. 1/a, was got printed at the instance of the respondent. Moreover, Counsel for the appellant has not challenged the finding of the Election Tribunal with respect to this pamphlet and no argument has been advanced before us with respect to any corrupt practice on the basis of this pamphlet.

Considering the evidence, as discussed above, I am in perfect agreement with the finding of the Election Tribunal that the appellant has failed to prove that the pamphlets, Exts. 1 and 1/a, were printed at the instance of the respondent or were distributed at his instance or with his consent.

Assuming, however, in favour of the appellant that these pamphlets were printed and distributed at the instance of the respondent, there is nothing, in my opinion, in these pamphlets which may have the tendency of inciting any communal or caste feeling or caste and community hatred and promoting enmity between classes in connection with the election, as alleged by the appellant. So far as the pamphlet Ext. 1/a is concerned, Counsel for the appellant has not pressed his point with reference to this pamphlet and has not thus challenged the finding of the Election Tribunal with respect to it. It is not, therefore, necessary to deal with the contents of Ext. 1/a. Counsel for the appellant, however, has urged seriously that the pamphlet, Ext. 1, has the effect of inciting hatred and caste and communal feelings. This pamphlet has been addressed to the Catholics by Mr. A. Soares, President of the Catholic Union of India, with respect to the duties of the Catholics in the coming elections. The relevant portion of this pamphlet runs as follows:—

"I have received inquiries as to whom Catholics should give their vote to in the next elections. For individual candidates, they should vote for such as are, to their knowledge, intelligent, conversant with public affairs and bearing good character, not mere adventurers or go-getters, even though they be Catholics. There are a large number of candidates who are independent or stand on no party basis. This advice is meant primarily for such cases though it is applicable to all; but Catholics should not support candidates who, though nominally independent, are relying on Communist support. They are probably crypto-Communists.

As for the parties; Communists and those in league with them, such as the Maharashtra Samiti, are ruled out in principle. Communal parties like the Jan Sangh, Hindu Mahasabha, R.S.S. should receive no support, not only because they are communal, but because they are strongly biased against Christians. Nor should Catholics cast their votes for purely communal candidates like the Muslim Leaguers.

There remain three national parties—the Congress, the Praja Socialist and Swatantra. There are also regional parties, such as the D.M.K. (Madras), Ganatantra Parishad (Orissa), Janata Party (Bihar). The last two may certainly receive Catholic support, but it is inadvisable or Catholics to vote for a party like D.M.K. which stands for the disruption of the country.

Catholics may cast their votes on any of the candidates of the national parties, whose programmes on the whole do not clash with Catholic principles. There is no party, except perhaps the Swatantra, whose programme is entirely unobjectionable. Those who wish to learn about the party programmes, may look up Social Action (January) which has given a fair summary."

From the above statement it is clear that the instruction to the Catholics was not to cast their votes on caste or religion basis. It is clearly stated therein that the Catholics might not give votes even to Catholic candidates if, to the knowledge of the voters, they were not intelligent conversant with public affairs and bearing good character. The instructions further says that Catholic candidates might not be given votes if they were mere adventurers or go-getters. It also goes on to say that votes should not be given to such candidates who belong to a party of Communists or to a party which stands for the disruption of the country. Then, towards the end, it says that, according to the President, the Swatantra party perhaps was a party whose programme was entirely unobjectionable. In my opinion, there is no such statement in the pamphlet, Ext. 1, which has any tendency to induce people to vote on caste or religion basis or to incite communal and caste feelings or caste and community hatred. Thus, even on merits, the instructions given in the pamphlet Ext. 1, do not constitute a relevant ground for setting aside the election.

The second point urged on behalf of the appellant is that in certain villages the respondent misled the voters by posing himself as the appellant and making representation to them that the symbol of the appellant was "cycle chhap" which, in fact, was his symbol. It is contended that by making such false representation the respondent misled the voters to caste their votes in his favour, though they intended to vote for the appellant believing that 'cycle' was his symbol. It is, therefore, submitted that the election is vitiated on the ground of false representation. According to the appellant, this false representation was made in villages Turiamba, Samsera, Rajkera, Arangi and Putto, on different dates. The evidence in this regard consists of the testimonies of P.W.'s 15, 16, 18, 19 and 20. P.W. 15 had spoken about the representation having been made in his village Putto. He has stated that the respondent was telling the people that he was the man whose name was Kartik Oraon and that his symbol was 'cycle chhap', and he was urging the voters to caste their votes in 'cycle chhap'. His further statement is that, on protest being made by one Sawna Oraon, the respondent said that the symbol had been changed from 'bullocks' to 'cycle chhap'. This Sawna Oraon has not been examined though he is alive. According to his witness, the meeting in which the above statement was made by the respondent was attended by about 100 people who were residents of village Putto. None of them has come to give evidence to corroborate the statement of this witness. It is not, therefore, possible to accept his uncorroborated statement. P.W. 16 is the only witness who has spoken about the false representation having been made in village Arangi. According to this witness, the respondent was giving lecture in Arangi Bazar about 12 days before the polling of the general election in a gathering of about 50 or 60 persons and he was telling them that his name was Kartik Oraon whose symbol was 'cycle chhap' and then should caste their votes in 'cycle chhap'. He, however, could not give the name of any person who attended the meeting and heard the lecture of the respondent. His evidence is not corroborated by any other witness of village Arangi, who, according to him, heard the lecture. Thus, it is not possible to accept the uncorroborated statement of this witness also. Similarly, P.W. 18 is the only witness about the false representation having been made in Turiamba. In the meeting in which the respondent is said to have made the false representation, about 100 to 150 persons, including Dular, Bhadu and Anup, were present, but none of them has been examined to support the evidence of this witness. He is also a person who does not want that the Oraons who have accepted Christianity should fight the election. Thus, he is interested in the cause as against the respondent. It will not, therefore, be safe to rely on his evidence. P.W.'s 19 and 20 have supported the case of the appellant with respect to the false representation having been made by the respondent in village Rajkera. According to P.W. 19, there were some persons in this village who were working for the Congress party in the last general election. Curiously enough, none of them protested that the symbol of the Congress candidate was

not the 'cycle chhap'. He appears to be an unsummoned witness. At first he had stated that he had received summons to depose on that date; but subsequently he stated that he was not informed to depose and that he did not actually receive the summons. He also used to work for the Congress party in off hours. PW 20 is a non-Christian Oraon and, on his own statement, he is interested in the cause as against the respondent, because he has stated that they wanted that Christians should not be elected for their constituency. On the evidence of these two witnesses, therefore, I am not inclined to believe that the respondent made any false representation in village Raikera. So far as village Samsera is concerned, nobody has been examined to prove the allegation of the appellant in this regard. In my opinion, the appellant has utterly failed to prove that any such false representation or impersonation was made by the respondent, as alleged by him (the appellant); and I perfectly agree with the finding of the Election Tribunal in this regard.

So far as the third point is concerned, its solution is not free from difficulty. The allegations of the appellant in regard to this matter are contained in paragraphs 9 to 20 of the election petition, the sum and substance of which is that the two respondents are Indian Christians and have nothing to do with the animistic faith and tribal way of life, nor do they follow the manners and customs of the tribes and have no affinity nor any common interest, defence or aspirations with or for the tribal people and, as such, they were not entitled to contest the Parliamentary seat concerned as candidates on a seat purely meant for the Scheduled Tribes. Admittedly, the ancestors of the two respondents were originally Oraons. But they subsequently embraced Christianity and the two respondents are Christians by religion. The question, however, is whether, by embracing Christianity, they ceased to be Oraons.

Under Article 342(1) of the Constitution of India, the President has been authorised to specify by public notification with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of the Constitution be deemed to be Scheduled Tribes in relation to that State or Union Territory, as the case may be. Under this Article, The Constitution (Scheduled Tribes) Order, 1950, was made by the President according to which, as shown in Part III, item No. 25, an Oraon is deemed to be a Scheduled Tribe so far as Bihar is concerned. Therefore, if the two respondents could not cease to be Oraons on account of their embracing Christianity, they come within the meaning of 'Scheduled Tribes' and were, therefore, entitled to stand as candidates for the seat reserved for the Scheduled Tribes. The contention on behalf of the appellant, however, is that, after embracing Christianity, they ceased to be Oraons and, therefore, they could not come within the meaning of 'Scheduled Tribes' and, as such, they were not entitled to contest the seat reserved for Scheduled Tribes. It has therefore, to be seen whether the two respondents ever ceased to be Oraons on account of change of religion by embracing Christianity.

"Tribe" has been defined in Encyclopaedia Britannica, Volume 22 1961 edition, at page 465, by W.H.R. Rivers as a social group of a simple kind, the members of which speak a common dialect, have a single Government, and act together for such common purposes as warfare. Other typical characteristics include a common name, a contiguous territory, a relatively uniform culture or way of life and a tradition of common descent. Tribes are usually composed of a number of local communities, e.g., bands, villages or neighbourhoods, and are often aggregated in clusters of a higher order called nations. The term is seldom applied to societies that have achieved a strictly territorial organization in large states but is usually confined to groups whose unity is based primarily upon a sense of extended kinship ties. It is no longer used for kin groups in the strict sense, such as "clans". As already observed, the case of the appellant is that the two respondents have nothing to do with the animistic faith and tribal way of life and they did not follow the manners and customs of the tribes and have no affinity nor any common interest, defence or aspirations with or for the tribal people and that, in order to be classed as a scheduled tribe, a person must have social affinity with the tribes, problems of common interests, aspirations and defence and must profess the tribal religion (animism) and follow the tribal way of life. In reply to the above allegation, the respondent, in his written statement, stated that both the respondents were and are members of the Oraon tribe which has been specified as a Scheduled Tribe in the State of Bihar under the Constitution (Scheduled Tribes) Order, 1950, and that having anything to do with the animistic faith and tribal way of life was no ingredient of membership of Scheduled Tribes within the meaning of the said Order. It was further stated that many members of various

Scheduled Tribes, professing the Christian faith, have contested Parliamentary and Assembly seats which were reserved for the members of Scheduled Tribes in the first, second and third general elections in this country and the successful contestants among them served their full terms as members of the respective legislature without any challenge, and that, as a matter of fact, respondent No. 2 had successfully contested this particular reserved seat in the general election held in 1957 and he served as a member of the Lok Sabha for the full term till its dissolution on the eve of the general election of 1962.

Both the parties have adduced evidence in support of their respective cases. The witnesses examined on behalf of the appellant are P.W's 1, 2, 3, 5, 6, 7, 9, 17, and 22. The witnesses examined on behalf of the respondent are R.W's 1, 2, 3 and 5. P.W. 1 has stated that the Christians do not observe the tribal customs which the Oraons and Mundas observe, such as *Sharna*, *Sarhul*, *Jhari*, *Shikar*, *Karma* and *Jatra* festivals. He has further stated that the Christians do not observe the customs observed by the tribals at the time of birth, marriage and death. He is a member of the Congress Party and he had worked in the last general election for the Congress candidate of his constituency. He has also sworn an affidavit in this case on behalf of the appellant. He is, therefore, an interested witness. He could not, however, say as to what was meant by Deori and whether Deori meant a "tribal pahan" (priest). According to him, there is *pahan* in his village who conducts the rites relating to birth, marriage and death of non-Christian tribals. This *pahan* has not been examined. *Sharhul*, *Sharna* and *Kerma* festivals, according to him, are all religious festivals. P.W. 2 claims to be the *pahan* of village Karak in which *puja path* is done and there are some, like *Jatra* and *Jani Shikar*, in have been converted to Christianity do not observe Adivasi customary rites and the Munzanis of his village, who are Christians, also do not observe the Adivasi customs. He has further stated that there are some customs among the Adivasis in which *puja path* is done and there are some, like *Jatra* and *Jani Shikar*, in which there is no *puja path* and that the Munzanis do not take part even in those customs in which there is no *puja path*. In cross-examination, however, he has said that the villagers of the particular village in which *Jatra* festival is observed worship the deity of the village on the occasion of the *Jatra*, contrary to his evidence in examination-in-chief; but he could not say what were the deities which were worshipped at the time of the *Jatra*. According to him, five deities (*devtas*) are worshippee among the Oraons, such as, *Darha*, *Deswari*, *Mahadania*, *Jahar* and *Chulha*. He, however, does not say that the Christian Oraons do not worship any of these deities. He has also sworn an affidavit in support of the case of the appellant and has come to depose without being summoned. He, therefore, appears to me to be an interested witness. P.W. 3 has similarly deposed that the Christian Oraons do not observe the customs of the non-Christian Oraons and they do not join with the non-Christian Oraons in the observance of their customs and festivals, nor do the non-Christian Oraons join with them in the observance of their Christian rites and customs. He has also stated that there cannot be an inter-marriage between the Christian and non-Christian Oraons and that the non-Christian Oraons cannot marry any member of any other community. According to him, the non-Christian Oraons do not marry in their own *gotra* whereas the Christian Oraons do not observe the marriage restrictions and they marry even non-Adivasis. In cross-examination, however, he has said that he sometimes invited the Christians of his village in a feast and they joined it. His statement with respect to the marriage restrictions is belied by the statement of the appellant himself as will appear when the evidence of the appellant would be discussed. According to him, respondent No. 2 is an Adivasi because he has joined the Jharkhand party. His evidence, therefore, belies the case of the appellant that respondent No. 2 is not an Adivasi. He has also filed an affidavit in support of the case of the appellant and is an unsummoned witness. He also appears to me to be an interested witness. P.W. 5 has stated that there can be no inter-marriage between a non-Christian Adivasi and a Christian Adivasi and that they do not recognise the Christians as Adivasis. In cross-examination, however, he has admitted that Christian Adivasis were also members of the Jharkhand party. His evidence also with respect to the restrictions of marriage will be found to have been belied by the evidence of the appellant himself. He was a member of the Congress party ever since his boyhood and he used to be paid by the Congress party when he used to attend the Bazars during the elections. He has also filed an affidavit in support of the case of the appellant. He was a volunteer for the appellant in the last general election. He is, therefore, an interested witness. P.W. 6 has given some details about the '*khoont*' of a particular Oraon and has stated that the Oraons who have been converted to Christianity do not recognise their customs. He has also stated that the Christian Oraons do not join the Panchayatis or Pahrās. But in cross-examination he had to admit that there are no Christian Oraons in his village. Therefore, he is not a competent witness to

speaking about it. I have already held this witness to be a got-up one while discussing his evidence with respect to the distribution of the pamphlets, especially in view of the fact that he was an unsummoned witness and was brought in the witness-box by the appellant to depose in his favour. P.W. 7 has stated that there is an institution of the Oraons called *Dhumkuria* in which religious and social instructions are given to boys and girls; but the Christian Oraons do not join that institution and it is used only by the non-Christian Oraons. In cross-examination, however, he stated that the boys and girls of Oraons community who read in schools or colleges in Ranchi town do not attend any *Dhumkuria*. As already observed, he came to Court as he was interested in the appellant and he wanted that the appellant should win. Thus, on his own admission, no weight can be attached to his evidence. P.W. 9 has deposed that the Oraons who have been converted to Christianity do not observe the *Khoont pujas* which are performed by the non-Christian Oraons and that the non-Christian Oraons do not accept the Christian Oraons as Adivasis. In cross-examination, however, he had to admit that, though Tana Bhagats do not do *khoont puja* in the same manner as the non-Christian Oraons do, they are accepted as Adivasis. It is also clear from his evidence that, though Munda Oraons and Tana Bhagats have separate *cults*, there is inter-marriage between them. It has been taken from him in cross-examination that the non-Christian Oraons treat Darha, Deswari, Mahdania, Jahar, Burdia and Chuchu as their *deotas* (Gods), and not as *bhoots* (spirits). But he could not say if the Tana Bhagats also treat them as their *deotas* (Gods). Again, according to him, among the Oraon community, some people believe in *bhoots*, but the Tana Bhagats as a class do not believe in *bhoots*. Thus, the mere fact that a particular type of worship is not performed by a Christian Oraon does not mean that he is not an Adivasi. P.W. 17 is a Tana Bhagat. His evidence is that, though they do *khoont puja* and also Sharna and other *pujas* which are done by the non-Christian Oraons, they do not sacrifice fowls like the non-Christian Oraons and, instead, they offer sweetmeats. He had also filed an affidavit in support of the case of the appellant. On his evidence, it is clear that it is not necessary for one to be an Oraon to observe the festivals in a manner similar to the non-Christian Oraons.

The evidence of P.W. 22, the appellant, is very important in this respect. In my opinion, he himself has fully established the case of the respondent. He has stated in his examination-in-chief that the Christian Oraons are not members of any scheduled tribe because the Indian Christians, or even the tribal converts, were not and could not be members of any scheduled tribe as their ways of life were irreconcilable with the ways of life of a member of a scheduled tribe. By way of illustration, he gave the following factors which, according to him, could be taken as some of the factors which go to make a person a member of a scheduled tribe:—

- (1) Endogamy, which means not marrying outside their own tribe.
- (2) Ancestral worship, which differs with each clan in which a particular tribe is divided each clan being distinguished by *totem* or *khunt*, claiming descent from the same ancestor. Each clan worships its own *khunt*. Marriage between members of the same *khunt* is not permissible.
- (3) Living a communal life in villages, being under a particular 'Parha' consisting of a group of villages. Each Parha has its own council.

According to him, the tribals who have been converted into Christianity or any other religion do not follow these ways of life and are, therefore, not members of Scheduled Tribes. In cross-examination a question was put to him as to whether, according to him, a tribal ceased to be a tribal the moment he embraced any religion. In answer to that question he stated that if he or she disobeyed all tribal customary laws, manners and customs and gave up all tribal ways of life and had no affinity and considered himself or herself as a part and parcel of another religion to which he or she was converted, he or she ceased to be a tribal. He has further stated that, if a tribal is converted to Christianity but maintains the ways of life in all matters, some of the factors of which he had given in his examination-in-chief, he will remain a tribal. Thus, on this answer, a tribal could not cease to be a tribal merely on his having embraced any religion, such as, Christianity. His evidence further shows that the tribals who have embraced Christianity are being treated like any other tribal by the Government and the Christian tribals pose themselves as tribals. He has admitted that the Christian tribals also write as their surname the names of their tribal and also *khoont*. He had to admit that the own brother of his wife had married a Christian Oraon girl and he is treated as a tribal and their children also will be treated as tribals. Thus, the evidence of the witnesses referred to above stating that there could not be inter-marriage between a Christian Oraon and a non-Christian Oraon is believed

by the statement of the appellant himself. His evidence further shows that no Oraon *pūja* can be complete without the sacrifice of a fowl or any other animal. But the Tana Bhagats do not sacrifice fowls or animals and yet they are tribals.

R.W. 1 is the Fahan of village Karak, the village home of the respondent, and he is a non-Christian Oraon. He has clearly stated that the forefathers of the respondent were Oraons and the Oraons who embrace Christianity remain Oraons. He has also stated that the Munzans and the other Oraon who have embraced Christianity take part in *Jatras* and *Purhas* and that the Christian Oraons also do not marry within the same *gotras*. In cross-examination, it has been taken from him that the Christian Oraons observe *sharna pujas* and sacrifice fowls in the *pujas* and they also do *bhoot pujas*. He has also denied that the ways of life of the Christian Oraons and the non-Christian Oraons are not alike. R.W. 2 is also a non-Christian Oraon of village Karak and according to him also the ways of life of Christian Oraons are the same as those of non-Christian Oraons and the Christian Oraons also take part in *Jatra* and *parhas*. He has also stated that the respondent is treated as an Oraon. In cross-examination, it has been taken from him that Oraons are treated as Oraons and are not ex-communicated even if they marry in another caste, like Bania, Rajput or Brahmin. According to him, the Christians have their church in Karak and David Munzan attends the church and also observes *Sharna puja*. R.W. 3 also is a non-Christian Oraon. He has stated that they treat the Christian Oraons as Oraons like themselves. He has further stated that their way of life and the way of life of the Christian Oraons is alike. This witness has further stated that the respondent is also an Oraon and that there is an association in Rourkela area which is known as Adivasi Unnati Samaj, of which the Christian and non-Christian Adivasis are members and of which the respondent is the President. This witness is also a member of that association. R.W. 5 is the respondent himself. He has stated that the Christian and the non-Christian Oraons have the same affinity, aspirations and common interest and the members of the Oraon community who have embraced Christianity are also Oraon tribals. He has further stated that the Christian Oraon also observe *gotra* and *khoont* and as a rule the Christian Oraons do not marry within their own *gotras*. According to him, the Christian Oraons also take part in *Jatra*, *Parha* and *Jani Shikar*, and the ways of life of both the Christian and the non-Christian Oraons are the same. Of course, he has admitted that the Christian Oraons do not accept only those customs and rites of the Oraon society which are in direct conflict with the doctrine of Christianity. According to him the customary laws of inheritance of the Christian Oraons and the non-Christian Oraons are the same and the Christian Oraons also have to take the permission of the Deputy Commissioner for selling their lands under the Chota Nagpur Tenancy Act. It may be noted here that when a question was put to the appellant about the law of inheritance he expressed his ignorance. This witness further stated that the Government recognises the Christian Oraons also as tribals like the non-Christians, and the Christians Oraons students reading in schools are getting stipends and scholarships and also freeship from the Government in the same manner as the non-Christian Oraons. The Chota Nagpur Tenancy Act is applicable to the Christian Oraons just as to the non-Christian Oraons. It appears from his evidence that he had contested the election as a member of the scheduled tribe from the Lohardaga area in 1952 and 1957 which was treated as reserved Parliamentary constituency for scheduled tribes. Respondent No 2 had also contested those two elections and both the respondents had to make declarations in the two elections to the effect that they were tribals. This respondent is the President of the Adivasi Unnati Samaj which has its headquarters at Rourkela for the last six years and all Adivasi Christians and non-Christians are its members. He is also working for the uplift of the Adivasis in Ranchi, including the Christians and non-Christians. The only thing that has been taken from him in cross-examination is with respect to the burying of dead bodies. According to him, the dead bodies of non-Christian Oraons are buried only during rains but are burnt beyond the rains whereas the dead bodies of Christian Oraons are buried all through. This is quite consistent with his earlier statement that the Christian Oraons observe all customs and festivals of the non-Christian Oraons except those which are in direct conflict with the doctrines of Christianity.

From the evidence of the parties discussed above, it appears that, even if a non-Christian Oraon omitted to observe some of the festivals and observed certain festivals in a manner different from others, he did not cease to be a tribal. It also appears that the Christian Oraons also observe some of the festivals of the tribals which are not in direct conflict with the religion of Christianity. The most important thing that appears from the evidence referred to above is that the non-Christian Oraons treat the converted Oraons as tribals calling them 'Christian Oraons'. The very fact that the converted Oraons are called as 'Christian Oraons' shows that they are Oraons first and Christians next. It further appears

that during the course of the previous general elections the people of the locality took both the respondents as representatives of the tribals and actually respondent No 2 remained a member of the Parliament on the last occasion (*vide* All India Civil List published in November 1960 at page 6). Over and above all these, the respondent appears to have taken up the cause for the improvement of the condition of the tribals including Christians and non-Christians, and both kinds of Oraons consider the respondent to be one of them for their uplift work and are members of the Adivasi Unnati Samaj, of which the respondent is the President. It is not, therefore possible to hold on such evidence that the Christian Oraons have no social affinity with the tribals or with the problems of common interest, aspirations and defence, and that the ways of life of the Christian Oraons are different from those of the non-Christians Oraons.

Before the Election Tribunals three documents namely, a sale deed (Ext B), a *parcha* (Ext C) and a *khatian* (Ext D) had been produced on behalf of the respondent to show that his ancestors were accepted as Oraons though their religion was mentioned as Christianity. The learned Member of the Tribunal accepted these documents to come to a finding that the mere fact that the respondent was a Christian since the time of his father's father did not make any difference whatsoever. These documents have not been printed in the paper book and Counsel for the appellant did not advance any argument with respect of these documents. It is thus clear that these documents showed that even Christian Oraons were called Oraons. In other words, on account of their having accepted the religion of Christianity they did not cease to be called as Oraons. Thus in fact it is held that the respondent is an Oraon and was perfectly entitled to stand as a candidate for the Parliamentary seat reserved for the Scheduled Tribes.

Counsel for the appellant has however drawn our attention to the Government of India (Provincial Legislative Assemblies) Order 1936 dated the 30th of April, 1936 by which a separate territorial constituency for Indian Christians was established. In part VII of that Order paragraphs 4, 5 and 6 deal with this matter (*vide* page 71). Paragraph 4 states that the Indian Christian seat shall be filled by an election by an electoral college consisting of forty persons nominated for the purposes of the election by the Chota Nagpur *Chotole Sahba* and forty persons nominated for the purposes of the election by the Bihar and Orissa Christian Council. Paragraph 5 says that a person shall not be qualified to be chosen to fill the Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some seat in a territorial constituency. Paragraph 6 declares that a person shall not be qualified to be chosen to fill a seat reserved for a representative of backward tribes unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some general seat. Counsel for the appellant has argued on the basis of the above Order that a distinction was made between Indian Christians and Oraons for the purposes of representation in the Provincial Legislative Assembly and it must therefore be held that the Indian Christians ceased to be Oraons for such representation. Those were the days when serious attempts were made by different missionaries to convert people especially and Adivasis, to Christianity and in order to give temptation to them to accept that faith, all sorts of facilities were given and in my opinion this is one of those facilities which were given to them for their representation in the Legislative Assembly. In this connection reference may be made to Oraon Religion and Customs by Shri Sarat Chandra Roy (1928 edition) in which a description is given of the Christian Movement at page 336. I would do no better than to quote a passage from that book in this connection.

'Whatever considerations might have led these earliest converts to accept the new religion most available outside reports official as well as non official would appear to indicate that this Gossner's Evangelical Lutheran Mission and the later Christian Missions in Chota Nagpur owe much of the wonderful progress they have since made among the Oraons and some other aboriginal tribes in less than a century, to the moral support and in many cases pecuniary and other assistance which the generous European missionaries naturally extended to their converts in their manifold miseries. They helped them as much as they could in their struggle against the oppressions of exacting, and, in not a few cases tyrannical landlords and usurious money-lenders as also against persecution at the hands of their own tribe-fellows in the cases of suspected witches and their families.'

Now the Oraons saw that whereas their old gods and spirits could afford no relief or protection against their manifold economic miseries nor

could the Bhakti oults (whether Mahadeo Bhakti, or Vishnu Bhakti or Kabir Bhukti) be of much help to them in their wordly struggles, here were the converts to the foreign faith and the proteges of the foreign missionaries who secured more or less protection from future molestation, though not always relief from existing troubles. They further found that the children of their Christian converts considerably improved their economic condition and prospects through the secular education imparted in the Mission Schools and the powerful patronage of influential missionaries. All this naturally induced the Oraons to flock in increasing numbers to the Christian fold. At times of acute economic distress or agrarian discontent there were phenomenal mass conversions to Christianity among the Oraons. A number of the converts, however, relapsed to their old ways, some after their temporal interests were more or less served, and others when they found that the high expectations they had formed of improving their own economic condition and securing relief from their agrarian grievances with the aid of the missionaries could not be realised. The descendants of such of the converts as clung to the new religion have, however, in most cases, proved themselves genuine Christians in faith, if not always in practice.....

The Christian missionaries wisely permitted their Oraon converts to retain some of their tribal customs, such as exogamy based on totemistic lineage and certain other cherished folk customs and observances such as ceremonial eating of first fruits, certain rites and harvest and sowing of paddy, and certain observances at birth and marriage, which did not conflict with the cardinal tenets of the Christian faith."

Reference may also be made to the Oraons of Chota Nagpur by Shri S. C. Roy (1915 edition), page 485, which gives the Oraon population in Bihar and Orissa. First it gives the figures of Hindu males and females Oraons and of animist males and females Oraons of the different States. Then it states that besides these there are 55,594 males and 57,144 females returned as Christians, namely, in the Santal Parganas (2+6); Ranchi (43,438+45,209); Palamau (3,680+3,600); Manbhum (22+16); Singhbhum (212+231) and Orissa States (8,232+8,019). Thus, it appears that, though an Oraon is not an animist and is of Hindu faith or of Christian faith, he is taken as an Oraon in this book for finding out the population of the Oraons in Bihar and Orissa. In other words, the Christian Oraons have not been omitted from being included in the population of the Oraons in those two States.

Paragraph 6 of appendix XXXII of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1961-62 (Eleventh Report) Part II, deals with the concession allowed to scheduled castes and scheduled tribes in the matter of employment under the Government of India. It states that in the case of Scheduled Tribes, however, religion is immaterial, and a number of a Scheduled Tribe continues to be one even though he may change his religion. Thus, for the purposes of employment no distinction is made amongst the Scheduled Tribes on the ground of religion and, as such, the Christian and the non-Christian Oraons stand on the same footing as belonging to Scheduled Tribes for the purposes of such employment.

Similarly, in paragraph 31 of Chapter 2, of the Report of the Scheduled Areas and Scheduled Tribes Commission, 1960-61, Volume I, at page 12, it is stated that a large number of Oraons have been converted to Christianity. Even after conversion they observe the totemic clan divisions, but the institution of dormitory is gradually dying out among the Christian Oraons' though attempts have been made to revive it. Paragraph 86 of that Chapter at page 19 says as follows:—

"Tribal religion varies as much as tribal social custom or tribal law. Some of the tribals are Buddhists and have been so for centuries. Some have become Christians in comparatively recent times. Others worship Hindu gods and follow a simplified form of the Hindu religion. Yet again, others still follow the faith of their ancestors....."

Shri D. N. Majumdar in his book named "Races and Cultures of India", at page 369, states as follows:—

"A tribe like a caste of the lower order, today follows an occupation in many areas. Thus we got hunting, pastoral and agricultural tribes. The tribal returns recorded in the Census of 1931 reveal a heterogeneous category including Muslim tribes of Pathans, Baluchis, Brahuirs or Mapillas, comparatively primitive tribes like the Toda

or Nocobarese who still worship their own tribal deities; those who have become partly Hinduized like most of the Bhils and Gonds where the tribal names is on the way to become a caste name, those largely Christianized like the Oraon or the Lushai and others wholly Hindu, like the Manipuri but retaining their distinctive language and culture."

At page 371-72 he says:—

"A tribe forbids its members marry outside the tribe; the same is the case with caste. Inter-caste marriages do take place, inter-tribal marriages are also known, the Oraon-Munda, the Kharia-Munda of the Ranchi District providing such examples."

Reference may also be made to a debate in the Lok Sabha on the 1st of March, 1961, with respect to Adivasis, which has also been reproduced in the judgment of the Election Tribunal. It appears that a question was raised that the conversion of a member of a tribe to a particular religion should be taken into account in deciding the question whether or not he or she would remain a tribal. The Deputy Minister of Home Affairs, Shrimati Alva, observed as follows:—

"I may also point out to Shri Prakash Vir Shastri that where one talks of Adivasis, one has to bear in mind that religion is not a factor to be taken into consideration. I want to reiterate this that in the case of a Scheduled Caste person being converted, he loses his caste, but in the case of the Adivasi, he remains an Adivasi, whether he is a Buddhist, or whether he becomes a Christian or a Muslim he remains an Adivasi. Therefore, religion does not matter in the case of an Adivasi."

A Bench of this Court, in *Jena Uraon v. Johan Uraon alias Bigua Uraon* (Second Appeal No. 1573 of 1948, disposed of on the 17th January, 1951), while dealing with the question of inheritance amongst the Oraons, took the view that the word "Oraon" in its ordinary connotation refers only to the members of a race or sect or tribe and has no religious significance.

In *Chaturbhuj Vithaldas Jasani v. Moreshwar Parashram* (9 Election Law Reports 301) the Supreme Court held that conversion of a Mahar into a Mahanubhava import only an intellectual acceptance of certain ideological tenets and does not alter the convert's status as a member of a Scheduled Caste, at any rate, so far as the householder section of the Mahanubhava Panth is concerned. In that case one Gangaram Thawara stood as a candidate from the Scheduled Caste and his nomination was rejected on the ground that he did not belong to the Scheduled Caste in question, namely, Mahar, and the question to be decided in that case was whether he ceased to be a Mahar when he joined the Mahanubhava Panth. In that connection their Lordships pointed out that what they had to determine were the social and political consequences of such conversion and their Lordships felt that the same must be decided in a common sense practical way rather than the convert had shown by his conduct and dealings that his break from the old order was tolerant of the new faith and saw no reason to out caste or excommunicate the convert and the individual himself desired and intended to retain his old social and political ties, the conversion was only nominal for all practical purposes and when they had to consider the legal and political rights of the old body the views of the new faith hardly mattered; and that the new body was free to ostracise and outcaste the convert from its fold if he did not adhere to its tenets, but it could hardly claim the right to interfere in matters which concerned the political rights of the old body when neither the old body nor the convert was seeking either legal or political favours from the new as opposed to purely spiritual advantage. It was further observed that, on the other hand, if the convert had shown by his conduct and dealings that his break from the old order was so complete and final that he no longer regarded himself as a member of the old body and there was no reconversion and readmittance to the old fold, it would be wrong to hold that he could nevertheless claim temporal privileges and political advantages which were special to the old order. Their Lordships, quoting with approval the observation made in *Abraham v. Abraham* (9 Moore's Indian Appeals 199) that a convert "may renounce the old law by which he was bound, as he has renounced his old religion, or, if he things fit, he may abide by the old law, notwithstanding he has renounced the old religion", observed that the only modification there was that it was not only his choice which must be taken into account but also the views of the body whose religion tenets he had renounced, because there (9 E.L.R. 301) the right they were considering was the right of the old body, the right conferred on it as a special privilege to send a

member of its own fold to Parliament; but with that modification the following observations applied in their broad outline:—

“The profession of Christianity releases the convert from the trammels of the Hindu law, but it does not of necessity involve any change of the rights or relations of the convert in matters with which Christianity has no concern, such as his rights and interests in, and his powers over, property. The convert, though not bound as to such matters, either by the Hindu law or by any other positive law, may be his course of conduct after his conversion have shown by what law he intended to be governed as to these matters. He may have done so either by attaching himself to a class which as to these matters has adopted and acted upon some family usage or custom; and nothing can surely be more just than that the rights and interests in his property, and his powers over it, should be governed by the law which he has adopted or the rules which he has observed.”

In *Wilson Reade v. C. S. Booth* (14 Election Law Reports 480), a case from the Assam High Court, the father of the appellant was an Englishman who married a Khasi woman. The appellant had never seen his father. He had from his childhood lived among the Khasis, and excepting a daughter of his, who had married a Bengali and another who married an American, all his children were married to Khasis. The appellant himself had married a Khasi woman. He alleged further that under the practice prevalent among the Khasi tribal people, any one who was born of a Khasi mother was regarded as a member of the Khasi tribe. The appellant occupied an important position among the Khasi and was a founder member and a member of the executive committee of a political organisation called the “Khasi National Durbar”, which came into existence in 1923. He was also a member and treasurer of the District Tribal Union which was a branch of the Eastern India Tribal Union, and an elector and treasurer of the Federation of the Khasi States. He was also a candidate both for the Parliament and the State Legislative Assembly of Assam and a member of the Khasi tribe and had filed his nomination in the last election, and this was accepted. His nomination for the election in question was rejected and the rejection was upheld by the Tribunal on the ground that he was not a Khasi of pure blood and was an Anglo-Indian and that, at any rate, he had, claiming that he was an Anglo-Indian, enjoyed the privileges of an Anglo-Indian by joining the Auxiliary Force and so forfeited his right to be regarded as a Khasi. It was held that, on the evidence adduced in the case, the appellant was a member of the Khasi tribe, and that, assuming that the appellant was an Anglo-Indian and had claimed and enjoyed the privileges of an Anglo-Indian, that did not debar him from claiming that he was also a member of the Khasi tribe and seeking election for the seat reserved for the Khasi tribe.

The decisions referred to above are fully applicable to the facts of the present case. It has been found in this case, as already observed, that the Christian Oraons also observed some of the festivals which are not in direct conflict with the religion of Christianity and they are called, not Indian Christians, but Christian Oraons. It further appears from the evidence discussed above of the appellant himself that there can be a marriage between a non-Christian Oraon and the girl of a Christian Oraon and their descendants are treated as tribals. According to the evidence of the appellant, it also appears that if a tribal converted to Christianity maintains the tribal ways of life in all matters, he remains a tribal. The Christian tribals are also writing as their surname and names of their tribe and *khoont*. It is further admitted in his evidence that an Oraon, such as Tana Bhagats, does not cease to be an Oraon because he does not sacrifice fowls or animals at the time of *pua*, without which no *pua* could be completed among the Oraons. From the evidence of P.W. 3 it further appears that Christian Oraons are also invited to feasts held by non-Christian Oraons and the Christian Oraons join such feasts. It has also been found that the two respondents, though they are Christians Oraons, occupied important positions among the Oraons, both Christians and non-Christian. The respondent is an active member of an institution called Advasi Unnati Samaj established for the improvement of the conditions of the tribals, both Christians and non-Christians, and he is the President of that institution. Both Christian and non-Christian Oraons have faith in him for their uplift work and are members of that institution. It has also been found that respondent No. 2 was elected and remained a member of the Parliament in the election previous to the election in question as representing the tribals without any objection being raised by anyone. On the principle of law enunciated in the decisions referred to above and on the authorities considered above, it appears to me that Christian Oraons are Oraons in spite of their conversion and are entitled to the rights and privileges of the tribals.

On a consideration of the evidence and the law on the subject, my concluded opinion, therefore, is that both the respondents are Oraons and they are entitled to contest the Parliamentary seat reserved for the Scheduled Tribes. There is thus no merit in this appeal, which is, accordingly, dismissed with costs payable to respondent No. 1 only and the judgment and order of the Election Tribunal dismissing the election petition of the appellant is affirmed. Hearing fee is assessed at Rs. 250.00 nP. (Rupees Two Hundred and fifty only).

(Sd.) R. K. CHOUDHARY

(Sd.) A. B. N. SINHA.

A. B. N. SINHA, J.

High Court, Patna,

The 14th November, 1963

H. L. SINHA.

[No. 82/325/62.]

By order,

PRAKASH NARAIN, Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 17th December 1963

S.O. 3555.—In exercise of the powers conferred by sub-section (4) of section 29 of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby makes with effect from the 25th day of December, 1963 the following amendments in Form B (Form of Profit and Loss Account) as set out in the Third Schedule to the said Act, a notification giving not less than three months' notice of the intention of the Central Government to make the said amendments having been already published in the Official Gazette as required by the said sub-section, namely:

In Form B, Form of Profit and Loss Account—

- (a) in item 2 of the Expenditure side, the brackets and words "(showing separately salaries and allowances to managing director, manager or chief executive officer)" shall be omitted; and
- (b) after the existing footnote, the following footnote shall be inserted, namely:—

"This form shall be accompanied by a note containing the following particulars namely:—

Particulars of remuneration relating to managing director, manager or chief executive officer showing separately all payments made or provided during the year in respect of each of the following items and the total of all such items, namely:—

- (i) salaries,
- (ii) allowances,
- (iii) sitting fees,
- (iv) bonus,
- (v) employer's contributions to provident fund, pension fund or any other superannuation fund,
- (vi) payments by way of gratuities, pensions or otherwise, in excess of the employer's contributions and interest thereon, and
- (vii) the monetary value of any other benefits or perquisites."

[No. F. 16(4)-BC/63.]

CORRIGENDUM

New Delhi, the 20th December 1963

S.O. 3556.—In the notification of the Ministry of Finance (Department of Economic Affairs) No.F.14/21/63-SB dated the 7th November, 1963 published in the

Gazette of India Part II Section 3, Sub-section (ii), dated the 16th November, 1963 (S.O. 3167), the words "and carrying on insurance business" shall be inserted after the words "relating to cooperative societies".

[No. F.14/21/63-SB.]

B. J. HEERJEE, Under Secy.

(Department of Economic Affairs)
New Delhi, the 20th December 1963
S.O. 3557.—Statement of the Affairs of the Reserve Bank of India, as on the 13th December 1963
BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	14,72,56,000
Reserve Fund	80,00,00,000	Rupee Coin	2,72,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	Small Coin	2,27,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
Deposits:—		(a) Loans and Advances to :—	
(a) Government :		(i) State Governments	26,98,98,000
(i) Central Government	49,92,85,000	(ii) State Co-operative Banks	9,17,20,000
(ii) State Governments	14,88,27,000	(iii) Central Land Mortgage Banks
(b) Banks :		(b) Investment in Central Land Mortgage Bank Debentures	3,55,31,000
(i) Scheduled Banks	82,73,36,000	National Agricultural Credit (Stabilisation) Fund	
(ii) State Co-operative Banks	1,92,84,000	Loans and Advances to State Co-operative Banks
(iii) Other Banks	4,61,000	Bills purchased and Discounted:—	
(c) Others	165,26,79,000	(a) Internal
Bills Payable	28,72,27,000	(b) External
Other Liabilities	39,49,19,000	(c) Government Treasury Bills	80,64,61,000
Rupees	549,00,18,000	Balances Held Abroad*	8,22,10,000
		Loans and Advances to Governments**	39,58,13,000
		Loans and Advances to :—	
		(i) Scheduled Banks†	7,85,55,000
		(ii) State Co-operative Banks††	131,67,54,000
		(iii) Others	1,74,55,000
		Investments	197,72,42,000
		Other Assets	27,06,24,000
		Rupees	549,00,18,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 2,67,00,000 advanced to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, and the National Agricultural Credit (Stabilisation) Fund.

Dated the 18th day of December 1963.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 13th day of December 1963

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department			Gold Coin and Bullion :—		
Notes in circulation	14,72,56,000		(a) Held in India	117,76,10,000	
	2336,22,72,000		(b) Held outside India	
Total Notes issued		2350,95,28,000	Foreign Securities	97,45,69,000	
			TOTAL		215,21,79,000
			Rupee Coin		116,42,47,000
			Government of India Rupee Securities		2019,31,02,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		2350,95,28,000	TOTAL ASSETS		2350,95,28,000

Dated the 18th day of December 1963.

M. V. RANGACHARI,
Dy. Governor.

[No. F. 3(2)-BC/63.]
A. BAKSI, Jt. Secy.

(Department of Economic Affairs)
(Office of the Controller of Capital Issues)

ORDER

New Delhi, the 17th December 1963

S.O. 3558.—In exercise of the powers conferred by sub-section (1) of section 6 of the Capital Issues (Control) Act, 1947 (29 of 1947), the Central Government hereby makes the following Order to amend the Capital Issues (Exemption) Order, 1961, namely:—

1. This Order may be called the Capital Issues (Exemption) Second Amendment Order, 1963.

2. In the Capital Issues (Exemption) Order, 1961 in clause 3, for the words "ten lakhs of rupees" wherever they occur, the words "twenty-five lakhs of rupees" shall be substituted.

[No. F. 14(2)-CCI/63-4164.]

M. K. VENKATACHALAM, Controller.

(Department of Revenue)

New Delhi, the 19th December, 1963

S.O. 3559.—In exercise of the powers conferred by sub-rule (3) of rule 126C of the Defence of India Rules, 1962, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. F. 1/62/63-GC. dated the 31st October, 1963 (published in Part II, Section 3(ii) of the Gazette of India, Extraordinary dated the 1st November, 1963), I, B. D. Pande, Administrator, hereby specify that after the period ending with the 31st day of March, 1964, every person who makes, manufactures or sells an primary gold shall put a stamp on each piece of primary gold—

- (i) certifying the purity of gold contained in such primary gold and the date of making or manufacturing thereof; and
- (ii) containing such descriptive and other particulars which may enable the identification of the maker or manufacturer of such primary gold.

[No. F. 1/62/63-GC.II.]

B. D. PANDE, Administrator.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 17th December 1963

S.O. 3560.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its Notification S.O. 1739 (28-Income-tax—F. No. 50/12/63-IT) dated the 22nd June, 1963 namely:—

In the Schedule against "A' Range, Madras," "B' Range, Madras" and "Tiruchirapalli Range", the following entries shall be substituted, namely:—

'A' Range, Madras:

1. Madras Circle I.
2. Madras City Circle V.
3. Madras (Special) Circle.
4. Special Circle, Madras.
5. Foreign Section, Madras.
6. Central Circles I & II, Madras.
7. Estate Duty-cum-Income-tax Circle, Madras.
8. Madras Special (Central) Circle.
9. Special Investigation Circle 'A' Madras.
10. Special Investigation Circle 'B' Madras.
11. Tax Recovery Circle, Madras.

'B' Range, Madras:

1. Madras City Circle II.
2. Madras City Circle III.
3. Madras City Circle IV.
4. Salaries Circle, Madras.
5. Special Survey Circle No. 1, Madras.
6. Special Survey Circle, Madras.
7. Kancheepuram Circle.
8. Pondicherry Circle.

Tiruchirapalli:

1. Tiruchirapalli Circle.
2. Pudukottai Circle.
3. Karaikudi Circle.
4. Dindigul Circle.
5. Thanjavur Circle.
6. Estate Duty-cum-Income-tax Circle, Thanjavur.
7. Nagapattinam Circle.
8. Cuddalore Circle.

This notification shall take effect from 30th December, 1963

Explanatory Note

The amendments have become necessary on account of the re-organisation of the Appellate Ranges in the Commissioner's of Income-tax, Madras Charge.

(The above note does not form a part of the notification but is merely clarificatory).

[No. 77 (F. No. 50/12/63-IT).]

New Delhi, the 19th December, 1963

S.O. 3561.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its Notification S.O. 1480 (No. 25-Income-tax dated 21st May, 1963), dated 1st June, 1963, namely—

In the said Schedule against 'A', 'D', 'E' and 'F' Ranges, New Delhi under column 2, the following shall be substituted, namely—

'A' Range, New Delhi.

1. Income-tax-cum-Wealth-tax Circle VII, New Delhi.
2. All Companies Circles, New Delhi except Companies Circle II, New Delhi.
3. B-I, B-I(1), B-III, B-III(1), B-XVI, B-XVI(1) and B-XVI(2) Districts, New Delhi.
4. All Salary Circles, Delhi.
5. Central Circles—I(1), V, VI and VII, Delhi.
6. Evacuee Circle, New Delhi.
7. All Contractors Circles, New Delhi.
8. Ward No. VIII, Delhi.

'D' Range, New Delhi.

1. Income-tax-cum-Wealth-tax Circle I & V, New Delhi.
2. A-IV and A-IV(1) Districts, New Delhi.
3. B-V, B-V(1), B-VI, B-VI(1), B-IX, B-X, B-XI, B-XI(1), B-XII, B-XII(1), B-XIII, B-XIII(1), B-XVIII, B-XVIII(1) and Addl. B-XVIII, Districts, New Delhi.
4. Central Circle I, Delhi.
5. Wards Nos. VII, VII(1), VII(2), VII(3), and VII(4), Delhi.

'E' Range, New Delhi.

1. Income-tax-cum-Wealth-tax Circles II and VI, New Delhi.
2. A-II District, New Delhi.
3. B-IV, B-IV(1), B-VIII, B-VIII(1), B-XV, B-XV(1), and B-XV(2), Districts, New Delhi.

'F' Range, New Delhi.

1. B-VII, B-VII(1), B-XIV, B-XIV(1), B-XIV(2), B-XVII, B-XVII(1), B-XVII(2), B-XVII(3) and B-XVII(4), Districts, New Delhi.
2. Central Circle II, Delhi.
3. All Private Salary Circles, New Delhi.

The notification shall take effect from 30th December, 1963.

Explanatory Note

The amendments have become necessary on account of re-organisation of some ranges in the Commissioner's Charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 78 (F. No. 50/10/63-IT.)]

J. RAMA IYER, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

Bangalore, the 12th November 1963

S.O. 3562.—In exercise of the powers vested under Rule 5 of the Central Excise Rules, 1944, the undersigned hereby empowers Superintendents of Central Excise to determine the value of woollen fabrics whose value is depreciated to the extent of more than twenty per cent, for the purpose of assessment.

[No. 6/63.]

A. K. ROY, Collector.

MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

New Delhi, the 17th December 1963

S.O. 3563.—In exercise of the powers conferred by section 42 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Warehousing Corporation, with the previous sanction of the Central Government hereby makes the following amendment to the Central Warehousing Corporation Employees' Provident Fund Regulations, 1962, namely:—

In the said Regulations, in sub-regulation (3) of regulation 15, for the words "Executive Committee" the words "Managing Director" shall be substituted.

[No. F. 35/82/59-SG.II.]

S. N. PANDITA, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 16th December 1963

S.O. 3564.—In exercise of the powers conferred by sub-section 4(vii) of Section 4 of the Indian Lac Cess Act, 1930, as amended from time to time, the Central Government is pleased to nominate Dr. Ajit Ram Verma, Professor and Head of the Department of Physics, Banaras Hindu University, Banaras as a Scientist member on the Governing Body of the Indian Lac Cess Committee upto 31st March, 1966.

[No. 3-37/63 Com. IV.]

N. K. DUTTA, Under Secy.

MINISTRY OF STEEL, MINES & HEAVY ENGINEERING

(Deptt. of Mines & Metals)

ORDER

New Delhi, the 17th December 1963

S.O. 3565.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the

following further amendment in the Order of the Government of India in the late Ministry of Production, No. S.F.O. 1185, dated the 2nd April, 1957, namely:—

In the Schedule annexed to the said Order, after Serial Number 13 and the entries relating thereto, the following shall be added, namely:—

Column 1	Column 2	Column 3	Column 4
14	Director of Industries and Supplies, Rajasthan.	Clauses (c), (d), (e), (f), (h), (i) and (j).	} In respect of distribution of coal received within the State of Rajasthan from collieries in Rajasthan and in respect of coal supplies received within the State of Rajasthan against the quota fixed by the Central Government from time to time.
15	(i) Joint Director, Industries, Rajasthan. (ii) Deputy Director (Supply), Rajasthan. (iii) Regional Deputy Directors in the State of Rajasthan. (iv) All District Industries Officers in the State of Rajasthan.	Clauses (e), (f), (h), (i) and (j).	
16	All Collectors in the State of Rajasthan.	Clauses (c), (d), (e), (f), (h), (i), and (j).	

[No. 11/2/63-CI]

N. L. RAU, Dy. Secy.

(Deptt. of Heavy Engineering)

ORDER

New Delhi, the 21st December 1963

S.O. 3566/IDRA/18G/63.—In exercise of the powers conferred by section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1961, namely:—

1. This Order may be called the Cement Control (Ninth Amendment) Order, 1963.
2. In the Cement Control Order, 1961, in the Table below paragraph (C) of the Schedule, for the entry against Serial No. 2, the following entry shall be substituted, namely:—

Name of producer	Additional amount per metric tonne.	Date from which the additional amount may be charged.
"2. M/s. Associated Cement Companies Ltd., Dwarka Cement Works, Gujrat.	Rs. 7.90	6th September, 1963."

[No. 8-57/62-Cem-II.]

R. V. RAMAN, Joint Secy.

MINISTRY OF EDUCATION**(Deptt. of Education)****ARCHAEOLOGY***New Delhi, the 21st December 1963*

S.O. 3567.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

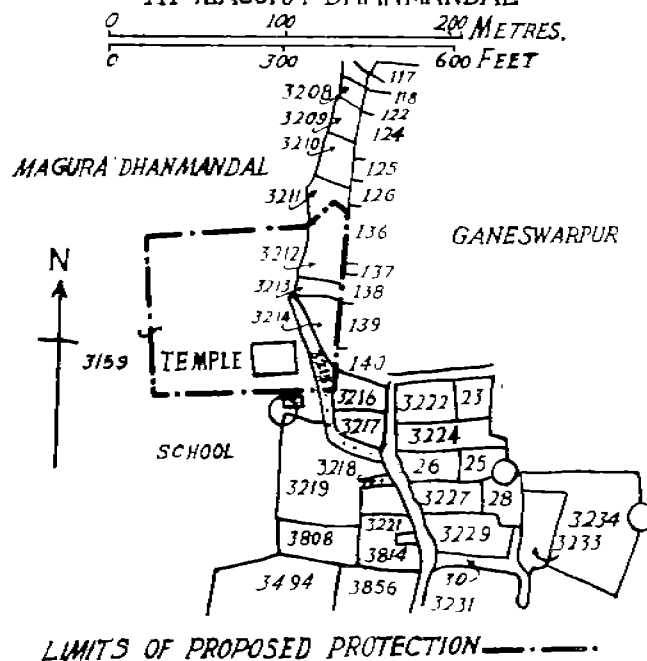
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument /site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Orissa	Cuttack	Sadar	Magura Dhanmandal	Pancha Pandaba temple together with adjacent land comprised in Survey plots Nos. 3212, 3213, 3214 and Part of Survey plots Nos. 3159 and 3215.	Whole of survey plots Nos. 3212, 3213, 3214 and part of survey plots Nos. 3159 and 3215 as shown in the plan reproduced below.	2.16 acres	<p><i>North</i> : Survey Plot No. 3211 & remaining portion of survey plot No. 3159 of village Nagura Dhanmandal.</p> <p><i>East</i> : Survey plots Nos. 136, 137, 138, 139 & 140 of village Ganeswarapur and survey plot No. 3216 of village Magura Dhanmandal.</p> <p><i>South</i> : Remaining portions of survey plots Nos. 3159 and 3215 of village Magura Dhanmandal.</p> <p><i>West</i> : Remaining portion of Survey plot No. 3159 of village Magura Dhanmandal.</p>	Survey plots No. 3212, 3213 and 3214; Privately owned and remaining under Govt. ownership.	Not under religious worship.

SITE PLAN OF PANCHAPANDAVA TEMPLE AT MAGURA DHANMANDAL



[No. F. 4-20/63-C1.]
S. J. NARSIAN,
Assistant Educational Adviser.

MINISTRY OF INFORMATION AND BROADCASTING*New Delhi, the 19th December 1963*

S.O. 3568.—In exercise of the powers conferred by Section 5(1) of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints the following persons as members of the Advisory Panel of the said Board at Bombay with immediate effect:—

1. Smt. Kundan J. Mehta
2. Shri Fakirmohamed K. Mistry

[No. 11/2/63-FC.]

S. PADMANABHAN, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT*New Delhi, the 17th December 1963*

S.O. 3569.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory in the sparse area, hereby exempts the factory situate in the area in the State of Maharashtra mentioned in the schedule below, from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in that area.

SCHEDULE

Sl. No.	Name of the District	Name of the area	Name of the factory
1	2	3	4
1.	Chanda	Visapur Tahsil Chanda	Maharashtra State Electricity Board, Power Station, Ballarpur.

[No. F. 6(88)/63-HI.]

S.O. 3570.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factories in an implemented area, Kerala State Transport Garage, Trivandrum, State Transport Central Depot, Trivandrum (Thampanoor) and the State Transport District Garage, Kottayam from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 21st December, 1963.

[No. F. 6(123)/63-HI.]

New Delhi, the 20th December 1963

S.O. 3571.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 29th December, 1963, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act, shall come into force in the following areas of the State of Kerala, namely:—

The areas within the Municipal Limits of Palghat and the revenue villages of:—

1. Mundur;
2. Kinavallur;
3. Thenur;
4. Edathara;
5. Vallikede;
6. Pudukkariyaram;
7. Akathethara;

8. Kadukkankunnu;
9. Kottekad;
10. Kalleppulli;
11. Puthur;
12. Kavilpad;
13. Vadakkanthara;
14. Pirayiri;
15. Kodunthirapully;
16. Kannadi;
17. Yakkara;
18. Kunnannoor;
19. Karingarapully;
20. Marutharode;
21. Pudussery; and
22. Thiruvallathur,

in the Palghat Taluk in the Palghat District.

[No. F. 13(33)/63-HI.]

ORDERS

New Delhi, the 20th December, 1963

S.O. 3572.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Banking Corporation Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal consisting of Shri S. S. Mahimath as the Presiding Officer, with its headquarters at Bangalore, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the transfer on the 16th May, 1963, of Shri P. Venkatramana Shenoy from Virajpet to Chikodi branch of the Canara Banking Corporation Limited was justified; if not, to what relief is the workman entitled?

[No. 51(78)/63-LRIV.]

S.O. 3573.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Industrial and Banking Syndicate Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Dr. Mir Siadat Ali Khan shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the management was justified in reverting Sarvashri N. V. Applachar and D. Narayana Rao from 'C' rank officers to the rank of clerks with effect from the 1st September, 1963, and if not, to what relief are the workmen entitled?

[No. 51(85)/63-LRIV.]

O. P. TALWAR, Under Secy.

New Delhi, the 17th December 1963

S.O. 3574.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal. Dhanbad, in the matter of an application under Section 33A of the

said Act from Sri Sadanand Prasad Lalla, Quarry Munshi, Khas Karanpura Colliery, Post Office Patratu, District Hazaribagh, which was received by the Central Government on 12th December, 1963.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a Complaint under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47).

COMPLAINT No. 13 of 1962

(arising out of Reference No. 61 of 1960)

PARTIES:

Sri Sadanand Prasad Lalla, Quarry Munshi, Khas Karanpura Colliery, P.O. Patratu, Dt. Hazaribagh—*Complainant*.

Vs.

Manager, Khas Karanpura Colliery, P.O. Patratu, Dt. Hazaribagh—*Opposite party*.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Complainant: No appearance.

For the Opposite party: Sri G. L. Ghutghutia.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 4th December, 1963

AWARD

This complaint was filed on 23rd April 1962 by the complainant, Shri Sadanand Prasad Lalla, Quarry Munshi of Khas Karanpura Colliery, under Section 33A of the Industrial Disputes Act, 1947, complaining against his dismissal from the company's service with effect from 3rd November, 1962.

2. This case was adjourned from time to time at the request of both the parties as a talk of compromise was going on between them and ultimately it was fixed for final hearing on 4th December, 1963.

3. On 4th December, 1963 the complainant did not appear nor did he take any step nor anyone appeared on his behalf although the Tribunal waited for one hour for the complainant. On behalf of the management, however, Sri G. L. Ghutghutia appeared with an alleged joint compromise petition bearing his signature stating that the case had been compromised but the compromise petition did not contain the signature of the complainant or of anyone else on his behalf. The petition further states that the complainant does not wish to proceed with the complaint as he had already secured a better job in the Rajya Transport, Bihar, and, therefore, he is no longer interested in his appointment with the opposite party.

4. It is a very old case and it appears that the complainant is no longer interested in the complaint as he has not appeared today and has therefore made deliberate default in prosecuting his complaint. For these reasons, I dismiss the complaint for default of the complainant.

5. This is the award which I make and submit to the Government of India under

Section 15 of the Act.

DHANBAD,

Sd./- RAJ KISHORE PRASAD,

Presiding Officer.

Dated the 4th December, 1963.

Central Government Industrial Tribunal, Dhanbad.

[No. 2/186/59-LR.II.]

S.O. 3575.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kalithan Jeenagora Colliery of Messrs. K. B. Seal and Sons, Post Office Jharla (District Dhanbad) and their workmen, which was received by the Central Government on the 12th December, 1963.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DHANBAD

REFERENCE No. 7 of 1963.

PARTIES:

Employers in relation to the Kalithan Jeenagora Colliery of Messrs. K. B. Seal and Sons P.O. Jharia (District Dhanbad).

AND

Their workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

APPEARANCES:

For the Employers.—Sri B. L. Agarwalla, Constituted Attorney for K. B. Seal and Sons.

For the Workmen.—Sri Shankar Bose, Member, Central Executive Committee, Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 6th December, 1963

AWARD

Ministry of Labour and Employment, Government of India by its Order No. 2/3/63-LRII, dated the 14th January, 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, an industrial dispute existing between the employers in relation to the Kalithan Jeenagora Colliery of Messrs. K. B. Seal and Sons, P.O. Jharia, District Dhanbad and their workmen in respect of the matter specified below, for adjudication to this Tribunal:

SCHEDULE

“Whether the termination of the service of Shri S. N. Lal, Overman-in-Charge, by the management of Kalithan Jeenagora Colliery of Messrs. K. B. Seal and Sons, P. O. Jharia (District Dhanbad) was justified? If not, to what relief is he entitled?”

2. The employers filed their written statement on 25th March, 1963, but the workmen did not file any written statement so far, and, therefore, no date of hearing of the case was fixed.

3. On 6th December, 1963, however, both the parties filed a joint petition of compromise, signed by Shri Shankar Bose, Member, Central Executive of the Colliery Mazdoor Sangh, representing the workman concerned, and, by Shri B. L. Agarwalla, Constituted Attorney for K. B. Seal and Sons, Kalithan Jeenagora Colliery and they jointly prayed that an award in terms of the said compromise be passed.

4. I have read the terms of the compromise and find that they are quite fair and reasonable and in the interest of both the parties and, therefore, I accept the said compromise.

5. The reference is, therefore, disposed of in terms of the said compromise on the basis of which an award is made and the compromise petition dated 6th December, 1963, is marked Annexure ‘A’ and made a part of this award.

6. This is the award which I make and submit to the Government of India under Section 15 of the Act.

DHANBAD,

Dated the 6th December, 1963.

Sd./- RAJ KISHORE PRASAD,

Presiding Officer,
Central Govt., Industrial Tribunal,
Dhanbad.

**BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL AT DHANBAD**

In the matter of Reference No. 7 of 1963.

AND

In the matter of an Industrial Dispute.

BETWEEN

The Employers in relation to M/s. K. B. Seal and Sons, Kalithan Jeenagora Colliery, P.O. Jharia, Dist., Dhanbad.

AND

Their workmen represented by Colliery Mazdoor Sangh, Dhanbad.

Memorandum of mutual settlement

The parties above named most respectfully beg to submit as under:—

- (1) That the above matter have been referred to this Hon'ble Tribunal by the Government of India, in the Ministry of Labour and Employment, vide their Notification No. 2/3/63 LR.II, dated 14th January, 1963, for adjudication;
- (2) That the matter pending before this Hon'ble Tribunal;
- (3) That the parties above named have arrived at a settlement by mutual negotiation in terms mentioned hereunder:—
 - (a) the Employers agree to pay to Shri S. N. Lal, the workman concerned a sum of Rs. 2,200 (Rupees Two thousand two hundred and Np. nil) only in full and final settlement of all his claim against the Employers;
 - (b) the workman Shri S. N. Lal or the union, Colliery Mazdoor Sangh do not press for his reinstatement;
 - (c) the payment has been made on 6th October, 1963, to the workman and receipt whereof have been obtained;
 - (d) the workman will vacate the colliery quarters within seven days;
 - (e) the parties will bear their respective cost;
- (3) That the parties, therefore, prays that this Hon'ble Tribunal may graciously be pleased to accept this mutual compromise and an Award may be given in terms hereof;

And for this the parties as in duty bound shall ever pray.

For the Employers:

for K. B. Seal & Sons,
Kalithan Jinagorah Colliery.
(B. L. AGARWALA),
Constituted Attorney.
Dated, Jharia the 6th December, 1963.

For the workmen:

for Colliery Mazdoor Sangh,
(SHANKAR BOSE),
6-12-1963.
Member, Central Executive,
Colliery Mazdoor Sangh,
Dhanbad.

[No. 2/3/63-LR. II.]

S.O. 3576.—Whereas the Central Government, being satisfied that the public interest so required, had declared, by a notification made in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), (being the notification of the Government of India the Ministry of Labour and Employment, No. S.O. 1886, dated the 29th June, 1963), the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act for a period of six months from the 29th June, 1963;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said service to be a public utility service for the purposes of the said Act for a further period of six months from the 29th December, 1963.

[No. F. 1/61/63-LR.I.]

ORDERS

New Delhi, the 18th December 1963

S.O. 3577.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Dharmaband Colliery, Post Office Malkera, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the termination of service of Shri Chhutu Shain as Mining Sirdar by the management of the Khas Dharmaband Colliery and later employment on a lower pay in December, 1961 were all valid and justified?

2. If not, to what relief is the workman entitled?

[No. 2/57/63-LR.II.]

S.O. 3578.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Digwadih Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension for ten days with effect from the 18th August, 1963 of Shri Mathura, Hammerman, by the management of the Digwadih Colliery of Messrs. Tata Iron and Steel Company Limited was justified? If not, to what relief is he entitled?

[No. 2/75/63-LR.II.]

S.O. 3579.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Umaria Colliery, Post Office Umaria, District Shahdol and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Umaria Colliery was justified in dismissing the following workmen from service; and if not, to what relief are these workmen entitled?

1. Shri Ramkuwar, T. No. 381, Boiler Cleaning Boy.
2. Shri Jagdev, T. No. 739, Miner.
3. Shri Katkoo, T. No. 775, Miner.
4. Shri Budhmal Charka, T. No. 604.
5. Shri Bisesar, T. No. 498.
6. Shri Jalram, T. No. 613.
7. Shri Mulloo, T. No. 867.
8. Shri Ramawtar, T. No. 848.

[No. 5/47/63-LRII.]

New Delhi, the 19th December, 1963

S.O. 3580.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba 6 and 7 Pits Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Mazid Mia, Clipman, by the management of Jamadoba 6 and 7 Pits Colliery of Messrs. Tata Iron and Steel Company Limited with effect from the 15th May, 1963 was justified. If not, to what relief is he entitled?

[No. 2/73/63-LRII].

S.O. 3581.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Post Office Jealgora (District Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Tulsī, Loco Driver, of Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora (District Dhanbad) with effect from the 7th August, 1962, was justified? If not, to what relief is he entitled?

[No. 2/69/63-LRII].

CORRIGENDUM

New Delhi, the 17th December 1963

S.O. 3582.—In the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 2598, dated the 6th September, 1963, published on pages 3304-3305 in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 14th September, 1963, in Annexure 'B', under the heading "Power House Department" against serial No. 7 for Shri S. K. Das, read Shri S. R. Das.

[No. 5/32/63-LRII.]

A. L. HANNA, Under Secy.

New Delhi, the 19th December 1963

S.O. 3583.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1264 [LWI-I-3(8)/60] dated the 24th April 1963, published on page 1418 of Part II, Section 3(ii) of the Gazette of India, dated the 4th May, 1963, namely :—

In the second paragraph of the said notification, after condition (2), the following "Explanation" shall be inserted, namely :—

"Explanation: On a working day, the periods during which a worker is required to display either physical activity or sustained attention shall be reckoned towards hours of effective work".

[No. LWI(I)3(19)/63].

K. K. UPPAL, Under Secy.

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 13th December 1963

S.O. 3584.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2568 dated 7th September 1963 and S.O. No. 2927 dated 12th October 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands

specified in the Schedule appended to that notification for the purpose of laying pipelines

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—West Bengal

Dist.—Midnapore Tehsil/Thana—Daspur

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Joteghanshyam J.L.240	2639	·03	Joteghanshyam J. L.	2744	·25
	2642	·04	240— <i>contd.</i>	2746	·16
	2643	·15		2747	·14
	2644	005		2748	·03
	2645	·16		2749	·02
	2646	·02		2781	·14
	2651	·05		2782	·15
	2652	·04		2784	·18
	2653	·07		2785	·03
	2655	·02		2786	·16
	2662	·11		2787	·03
	2663	·02		2788	·08
	2664	·01		2814	·02
	2665	·01		2815	·01
	2666	·08		4225	·005
	2681	·01		4227	·01
	2686	·08		4228	·11
	2687	·07		4229	·10
	2688	·03		4230	·02
	2714	·10		4231	·04
	2715	·11		4232	·005
	2716	·10		4250	·01
	2717	·005		4251	·06
	2718	·02		4252	·08
	2719	·03		4253	·06
	2720	·05		4254	·03
	2721	·01		4255	·18
	2722	·08		4262	·06
	2723	·07		4264	·005
	2724	·08		4265	·08
	2740	005		4266	·14

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Joteghanshyam, J. L. 240			Joteghanshyam, J. L. 240		
—contd.	4267	·07	—contd.	5812	·10
	4268	·01		5813	·05
	4270	·01		5818	·01
	4298	·04		5819	·05
	4299	·14		5820	·12
	4300	·05		5821	·05
	4301	·04		5822	·03
	4302	·06		5823	·02
	5488	·29		5825	·04
	5560	·02		5826	·05
	5561	·005		5827	·04
	5562	·02		5828	·005
	5563	·08		6336	·01
	5564	·005		6337	·07
	5565	·04		6338	·16
	5567	·04		6339	·005
	5574	·02		6340	·04
	5578	·04		6341	·06
	5579	·07		6342	·04
	5580	·01		6343	·07
	5581	·05		6344	·05
	5584	·02		6345	·03
	5585	·07		6346	·07
	5586	·16		6347	·04
	5633	·15		6360	·07
	5634	·14		6361	·13
	5636	·15		6362	·15
	5637	·11		6363	·06
	5638	·04		6364	·10
	5639	·17		6372	·06
	5659	·12		6373	·04
	5667	·05		6374	·05
	5668	·03		6375	·08
	5669	·02		6377	·15
	5670	·03		6378	·07
	5677	·02		6715	·17
	5678	·02		6718	·17
	5679	·02		6719	·16
	5680	·01		6720	·13
	5681	·02		6724	·11
	5682	·03		6725	·01
	5683	·03		6726	·21
	5684	·04		6727	·15
	5685	·02		6851	·10
	5686	·005		6852	·01
	5689	·06		6853	·07
	5692	·03		6854	·17
	5693	·02		6855	·09
	5694	·03		6886	·11
	5697	·02		6892	·07
	5698	·02		6893	·04
	5700	·01		6894	·06
	5762	·005		6895	·07
	5763	·05		6896	·11
	5764	·08		7322	·005
	5765	·005		7324	·05
	5766	·01		7325	·07
	5780	·01		7323	·005
	5781	·02			
	5782	·19	Kultikari, J.L. 241	65	·005
	5783	·26		67	·06
	5803	·09		69	·12
	5804	·12		70	·07
	5811	·04		71	·06

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Kultikari, J. L. 241— <i>contd.</i>	77	·06	Kultikari, J. L. 241— <i>contd.</i>	1051	·05
	78	·01		1053	·06
	80	·04		1054	·11
	81	·09		1055	·06
	82	·06		1057	·10
	87	·10		1058	·06
	88	·01		1059	·02
	89	·10		1060	·13
	90	·01		1061	·12
	91	·04		1062	·03
	92	·04		1063	·10
	93	·01		1072	·12
	94	·05		1073	·02
	95	·10		1132	·06
	239	·21		1133	·09
	240	·10		1134	·04
	241	·19		1135	·15
	242	·05		1136	·14
	250	·16		1171	·14
	251	·02		1172	·01
	252	·005		1177	·02
	253	·10		1178	·28
	254	·05		1179	·005
	255	·04		1423	·14
	256	·01		1424	·18
	258	·09		1427	·11
	259	·01		1430	·04
	285	·05		1431	·04
	667	·03		1432	·08
	668	·20		1433	·03
	669	·04		1448	·02
	672	·15		1450	·005
	673	·03		1451	·03
	674	·15		1452	·04
	830	·26		1453	·04
	834	·01		1454	·02
	836	·12		1455	·01
	837	·14		1456	·16
	838	·10		1458	·03
	839	·10		1459	·02
	841	·03		1460	·01
	842	·04		1461	·02
	844	·16		1462	·10
	848	·16		1463	·04
	854	·08		1464	·01
	855	·07		1465	·005
	856	·15		1870	·16
	859	·09		1874	·12
	860	·20		1877	·02
	861	·01		1878	·14
	1002	·13		1879	·11
	1010	·27		1880	·05
	1011	·03		1881	·16
	1022	·04		1930	·10
	1023	·10		1932	·10
	1024	·13		1936	·11
	1025	·10		1937	·03
	1027	·10		1940	·09
	1035	·07		1941	·01
	1036	·14		1943	·15
	1037	·02		1944	·09
	1039	·06		1948	·10
	1040	·01		1949	·005
	1050	·07		2752	·10

New Delhi, the 20th December 1963

S.O. 3585.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Kanpur in Uttar Pradesh State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto,

2 Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein

3 Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority at 7/166, Swarup Nagar, Kanpur in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Page 1.

State—Uttar Pradesh

Tahsil —Karchhana

Distt —Allahabad

Village	Survey No	Extent B B B
Indal Pur	17	0 14 10
	19	0 15 10
	21	0 2 0
	23	0 9 0
	24	0 1 0
	80	0 9 10
	81	0 13 0
	82	0 12 0
	83	0 6 10
	100	0 7 0
	101	0 2 0
	103	0 6 10
	104	0 5 0
	105/1	0 4 0
	106	0 1 10
	110	0 4 10
	111	0 3 0
	165	0 13 10
	174	0 11 0
	177	0 7 5
	180	0 6 10
	181	0 8 0
	199	0 14 10
	204	0 0 15
	205	0 5 10
	206	0 3 0
	207	0 11 0
	208	0 6 0

[No 31/50/63-ONG]

S.O. 3586.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar Oil field in Gujarat State to Baroda in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto,

2 Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein

3 Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at Elampeco, 4th Floor Sayajiganj Opp College Lokmanya Tilak

Road, Baroda in the office of the Gujarat Pipeline Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat

District—Broach

Taluka—Amod

Village	Survey No.	Acre	Guntha	Sq. Yds.
Karena	73	0	1	79
"	72/1	0	15	6
"	69/2	0	7	57
"	69/3	0	10	112
"	68/1	0	12	88
"	68/2	0	4	94
"	68/3	0	7	93
"	60/1	0	19	11
"	60	0	1	66
"	2/1			
"	60/3	0	1	79
"	60	0	5	20
"	2/2			
"	62	0	10	73
"	54/1	0	27	54
"	54/3	0	19	11
"	55/1	0	2	46
"	53/1	0	24	5
"	53/2	0	21	18
"	52/2	0	7	8
"	52/1	0	21	57
"	Road on village Boundry	0	4	37
"	Road between 62 & 54/1	0	2	15

[No. 31(38)/63-ONG.]

S.O. 3587.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar Oil field in Gujarat State to Baroda in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2 Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at Elampeco, 4th Floor Sayajiganj Opp. College Lokmanya Tilak Road, Baroda in the office of the Gujarat Pipeline Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat

District—Baroda

Taluka—Karajan

Village	Survey No.	Acre	Guntha	Sq. Yds.
Valan	80	0	25	8
"	86	0	17	4
"	87	0	17	74
"	88	0	14	60
"	89	0	1	39

Village	Survey No.	Acre	Guntha	Sq-Yds.
Valan— <i>contd</i>	136	0	26	27
"	131	0	27	93
"	133	0	22	45
"	119	0	20	85
"	118	0	23	72
"	253	0	22	68
"	254	0	20	69
"	255	0	5	54
"	278/1-2	0	14	110
"	277/1-2	1	7	22
"	336	0	25	86
"	335	0	18	78
"	373	0	18	78
"	374	0	5	16
"	383	0	5	16
"	375	0	6	21
"	376	0	5	42
"	Road	0	4	68
"	377	0	7	86
"	420/1	0	6	83
"	420/2	0	7	1
"	420/3	0	13	99
"	444/4	0	7	35
"	445	0	8	82
"	446 paiki	0	12	104
"	446 paiki	0	10	98
"	457	0	18	67
"	456	0	21	26
"	452	0	25	23
"	451	0	15	52
"	492	0	15	114
"	493	0	19	65
"	702	0	3	73
"	701	0	37	42
"	696	0	11	54
"	V. Road	0	3	104
"	V. Road	0	13	85
"	735/1	0	5	17
"	697	0	3	64
"	695	0	36	0
"	693	0	1	83
"	692	0	20	67
"	691	1	5	30
"	677	1	4	65
"	676	0	28	18
"	761	0	4	14
"	675	0	11	78
"	674	0	7	24
"	765	0	7	24
"	766	0	22	76
"	769	0	12	41
"	770	0	11	116
"	771/paiki	0	7	55
"	771 paiki	0	11	92
"	772	0	5	56
"	778	0	17	4
"	793	0	3	19
"	781/1/B	0	12	88
"	781/1/A	0	8	101
"	781/2	0	3	10
"	V. Road	0	9	
Makan	198/2	0	34	85
"	198/1	0	0	96
"	197	0	11	69
"	196	0	16	110
"	228	0	0	70

Village	Survey No	Acre	Guntha	Sq Yds
Makan —contd	236	0	11	53
"	235	0	8	25
"	234	0	13	76
"	227	1	1	17
"	281	0	0	62
"	282/1	0	20	33
"	290/1	0	3	5
"	289/1	0	4	67
"	289/2	0	1	59
"	287/1/A	0	1	40
"	287/1/2	0	0	118
"	357/2	0	10	35
"	358/2	0	4	14
"	359/3	0	4	76
"	361	0	8	82
"	287/4	0	4	14
"	363/1	0	1	112
"	363/2	0	1	112
"	362/2/1	0	3	25
"	364	0	8	59
"	407	0	16	89
"	404	0	8	97
"	403/1	0	6	36
"	405	0	22	76
"	400	0	11	92
"	386	0	16	47
"	384/2	0	8	51
"	387	0	19	3
"	Village Road Between 197 & 198	0	5	106
"	V. Road between 196 & 227	0	2	7
"	V. Road between 237 & 281	0	1	66
"	V. Road between 287 & 289	0	7	7
"	V. Road between 282/1 & 290/1	0	1	35
"	V. Road between 287 & 357	0	1	89
"	Kabrastan	0	16	89
Miyagam	1120	0	19	112
"	1121	0	31	13
"	1122	0	30	64
"	1123	0	28	45
"	Panchayat Road	0	5	89
"	1152	0	4	92
"	1153	0	0	76
"	1151	0	28	64
"	1156	0	18	46
"	1157	0	20	53
"	1158	0	11	22
"	1159	0	32	87
"	1163	0	3	104
"	1162	0	25	71
"	1166	0	16	106
"	1167	0	12	49
"	1222	0	25	78
"	1235	0	14	87
"	1234	0	28	50
"	1243	0	30	99
"	1232	0	16	75
"	1229	0	24	110
"	Panchayat Road	0	4	99
"	1325	0	21	111
"	1324	0	14	75
"	1322	0	17	105
"	1333	0	23	17
"	1385	0	21	96
"	1386	0	21	72
"	1387	0	28	3
"	Kircha Road	0	3	111

Village	Survey No.	Area	Girah	Sq. Yds
Muyagam— <i>conid.</i>	53/1	0	22	84
"	53/2	0	32	9
"	54	0	37	19
"	60	0	27	0
"	148	0	4	76
"	151	0	33	0
"	155	0	6	114
"	178	0	23	33
"	179	0	33	118
"	180/1	0	12	88
"	180/2	0	22	107
"	174	0	27	77
"	173	0	14	43
"	164/1	0	28	104
"	168	0	0	8
"	164/2	0	31	86
"	167	0	27	4
"	166	0	24	107
"	166/1	1	11	24
Dhamanja	301/1	0	5	5
"	V. Road	0	10	92
"	301	0	11	36
"	311/1	0	17	70
"	316	0	17	90
"	317	0	12	111
"	327	0	19	5
"	328	0	4	15
"	326	0	28	45
"	323	0	20	22
"	V. Road	0	5	41
"	15	0	19	8
"	16	0	1	48
"	26	0	23	110
"	27/2	0	10	0
"	28/1	0	16	114
"	1	0	2	34
"	23	5	18	0
"	21/2	0	2	34
"	21/1	0	0	47
Khandha	36	0	20	111
"	37	0	0	5
"	39	0	12	84
"	35	0	2	50
"	41	0	38	53
"	43	0	9	24
"	44	0	10	27
"	45	0	16	47
"	46	0	0	11
"	47	0	18	12
"	48	0	15	28
"	Village Road.	0	1	81
"	60	0	16	110
"	59	0	10	88
"	67	0	9	55
"	68	0	16	32
"	69	0	4	81
"	70	0	15	103
"	86	0	2	46
"	83	1	17	3
"	84	0	10	46
"	Village Road.	0	5	100
"	114	0	4	55
"	116	1	7	100
"	184	0	17	114
"	Village Road.	0	2	115

Village	Survey No.	Acre	Guntha	Sq. Yds.
Khandha— <i>contd.</i>	183	0	34	39
"	170	0	6	87
"	171+172	0	17	16
"	173/2	0	4	84
"	173/1	0	13	59
"	163	0	2	3
"	162/2	1	18	11
"	Village Road	0	4	6
"	139	0	10	90
"	140	0	3	83
"	141	0	34	94
"	143+144	1	4	82
"	Village Road	0	2	61
"	235+236+238+241+242	1	36	21
"	Village Road	0	1	73
"	328	1	21	10
"	327	0	22	98
"	322	0	7	110
"	326	0	8	34
"	Kacha road	0	0	40
"	324	0	8	66
"	323	0	13	53
"	318	0	11	7
"	317	0	14	95
"	316	0	12	26
"	311	0	14	25
"	309	0	5	29
"	307	0	20	69
"	308	0	24	40
Karmadi	105/1	0	23	110
"	105/2	0	1	113
"	102	0	7	40
"	1/4	0	6	52
"	102	0	25	113
"	1/6	0	1	109
"	102	0	1	109
"	2/3			

[No. 31(38)/63-ONG.]

ERRATUM

New Delhi, the 20th December 1963

S.O. 3588.—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel S.O. No.2140 dated 6th August 1963, published in the Gazette of India Part II Section 3 sub-section (ii) dated 17th August 1963,

- (i) read "0.25" acres for "0.21" acres against survey No. 3A of village Siktia No. 353.
- (ii) read "0.05" Acres for "0.005" acres against Survey No. 172 of Village Shankarpur No. 298.
 read "0.04" Acres for "0.02" acres against Survey No. 17D of village Lohari No. 310.
 read "0.095" Acres for "0.995" acres against Survey No. 50 of village Chhoto No. 315.
 read "0.215" Acres for "0.018" acres against Survey No. 170 of village Chhoto No. 315.
- (iii) read Survey No. "23A" for "234" in village Kenankathi No. 7.

[No. 31/47/63-ONG.]

B. SUBBA RAO, Under Secy.

MINISTRY OF INDUSTRY

ORDER

New Delhi, the 19th December 1963

S.O. 3589/IDRA/6/6.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 16th June, 1965, Col. S. K. Malhotra, to be a member of the Development Council established by the Order of the Government of India in the late Ministry of Commerce and Industry No. S.O. 1677 dated the 17th June, 1963, for the scheduled industries engaged in the manufacture or production of electric fans, electric lamps, electronic equipment, house-hold appliances (such as electric irons, heaters and the like), storage batteries, dry batteries, telephones, telegraph equipment, wireless and communication apparatus, radio receivers including amplifiers and public address equipment, television sets, teleprinters, air conditioners and refrigerators, electricity meters and panel instruments and directs that the following amendment shall be made in the said Order namely:

In the said Order, for entry No. 23 relating to Col. K. K. Mehta, the following entry shall be substituted, namely:—

23. Col. S. K. Malhotra, Director of Production and Inspection (Electronics), Ministry of Defence, 'G' Block, New Delhi.

[No. 1(6)/L.Pr./63.]

S. P. KRISHNAMURTHY, Under Secy.

(Indian Standards Institution)

New Delhi, the 18th December 1963

S.O. 3590.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that the Indian Standard(s) particulars of which are given in the Schedule hereto annexed, have been established during the period 6 November to 15 December 1963.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS: 664-1963 Specification for Centre Drills (<i>Revised</i>).	IS: 664-1954 Specification for Combined Drills and Countersinks (centre Drills) (<i>Tentative</i>)	This standard covers dimensions and other requirements of centre drills Types A, B and D. (Price Rs. 2.00).
2	IS: 1843-1963 Specification for Nylon Monofilaments.		This standard prescribes the requirements and the methods of tests for nylon monofilament intended for use as filling material for brushes. (Price Rs. 2.50).
3	IS: 2166-1963 Method for Computation of Capacity Tables For Horizontal and Tilted Oil Storage Tanks.		This standard prescribes the methods of computation of capacity tables for horizontal and tilted oil storage tanks intended for bulk storage of petroleum and liquid petroleum products. (Price Rs. 5.00).

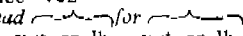
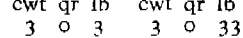
1	2	3	4
4	IS: 2215-1963 Specification for Starters For Fluorescent Lamps (<i>Revised</i>)	IS: 2215-1962 Specification for Starters For Fluorescent Lamps.	This standard covers the requirements and methods of tests for two-pin, canister-type glow starters for preheat types of fluorescent lamps of ratings 15 to 80 watts. (Price Rs. 3.50).
5	IS: 2246-1963 Methods of Sampling Fluorspar (Fluorite).	..	This standard lays down the procedure to be followed in collecting and preparing samples from a lot in order to determine ore sizes, moisture content and the chemical composition of fluorspar in the lot. It details the procedure for sampling the ore from stock piles, rail wagons and ships. This standard also includes a method for reporting the quality of the bulk of the fluorspar samples. (Price Rs. 3.00).
6	IS: 2266-1963 Specification For Steel Wire Ropes For General Engineering Purposes.	..	This standard covers steel wire ropes of Ordinary lay or Lang's lay, for cranes, excavators and general engineering purposes. (Price Rs. 5.00).
7	IS: 2346-1963 Specification For Carbonated Beverages.	..	This standard prescribes the requirements and the methods of test for carbonated beverages. This does not include specially prepared carbonated beverage for diabetic patients or for dietetic purposes. (Price Rs. 5.00).
8	IS: 2386 (Part-II)-1963 Methods of Test For Aggregates For Concrete Part II Estimation of Deleterious Materials And Organic Impurities.	..	This standard (Part II) covers the following tests for aggregates for concrete : (a) Determination of clay lumps, (b) Determination of clay, fine silt and fine dust (sedimentation method), (c) Determination of lightweight pieces (coal and lignite). (d) Determination of soft particles, and (e) Estimation of organic impurities. (Price Rs. 3.50).
9	IS: 2386 (Part VI)-1963 Methods of Test For Aggregates For Concrete Part VI Measuring Mortar Making Properties Of Fine Aggregate.	..	This standard (Part VI) covers the test procedure for measuring the mortar-making properties of fine aggregate for concrete by means of a compression test on specimens made from a mortar of a plastic consistency and gauged to a definite water-cement ratio. (Price Re. 1.00).
10	IS: 2429-1963 Specification For Electrically Welded Mild Steel Chain, Short Link And Pitched Or Calibrated, For Lifting Purposes.	..	This standard covers the requirements for electrically welded mild steel chains of the short link and pitched or calibrated types, used for lifting and haulage purposes, other than those used in mines. (Price Rs. 4.00).

1	2	3	4
11	IS: 2453-1963 Specification For Cable-Laid Cotton Rope.	..	This standard prescribes the requirements for cable-laid cotton rope of 44-mm and 51-mm size (Price Rs. 4.00).
12	IS: 2459-1963 Specification For Horizontal Bars Used in Gymnastics.	.	This standard relates to horizontal bar, used in physical culture and gymnastic competitions. (Price Re. 1.00).
13	IS: 2461-1963 Specification For Balancing Beams Used in Gymnastics.	..	This standard relates to balancing beams used in gymnastics for women. (Price Re. 1.00).
14	IS: 2462-1963 Specification For Parallel Bars Used in Gymnastics.	..	This standard relates to parallel bars, used in physical culture and gymnastics competitions. (Price Re. 1.00).
15	IS: 2490-1963 Tolerance Limits For Industrial Effluents Discharged Into Inland Surface Waters.	..	This standard lays down the tolerance limits for industrial effluents discharged into inland surface waters. (Price Re. 1.00).
16	IS: 2491-1963 Code for Sanitary Conditions For Food Processing Units.		This code prescribes the sanitary conditions required for establishing and maintaining a food processing unit. (Price Rs. 2.50.)
17	IS: 2493-1963 Specification For Well-Glass Lighting Fittings For Use Underground In Mines (Non-Flame proof Type).	..	This specification covers a range of fixed lighting fittings, or well-glass type, intended for use underground in mines where there is no flammable gas present. (Price Rs. 3.00).
18	IS: 2495-1963 Specification For Cheese Hoops.	..	This standard prescribes the requirements for cheese hoops of handling 10 and 20 kg. of cheese respectively. (Price Rs. 1.50).
19	IS: 2497-1963 Specification For Wooden Butter Scoop.	..	This standard prescribes the requirements for wooden butter scoop of two sizes used for transferring butter from the butter churn to the butter worker. (Price Rs. 1.50.)
20	IS: 2498-1963 Specification For Cheese Knife.	.	This standard prescribes the requirements for cheese knife, horizontal and vertical, used for cutting cheese curd into cubes of uniform size. (Price Rs. 2.00).
21	IS: 2499-1963 Specification For Butter Scotch-Hand.	..	This standard prescribes the requirements for butter scotch-hand used for handling butter. (Price Rs. 1.50).
22	IS: 2503-1963 Specification For Decorated Safflower (Kardi) Oilcake As Livestock Feed.	..	This standard prescribes the requirements and the methods of test for safflower (Kardi) Oilcake for use as livestock feed. (Price Re. 1.00).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, 'Manak Bhavan', 9 Bahadur Shah Zafar Marg, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) 2nd Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2, and (iv) 14/69 Civil Lines, Kanpur.

S.O. 3591.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip Issued
(1)	(2)	(3)	(4)
1.	IS:1344-1959 Specification For Surkhi For Use in Mortar And Concrete	S.O. 880 dated 9 April 1960	(i) Page 2, clause 0 3, lines 5 and 6 (a) please read 'IS:1727-1960 Methods of Test for Pozzolanic Materials' for 'Indian Standard Methods of Test for Pozzolanic Materials' (*IS:1348) (b) Delete the footnote marked with an asterisk '*Under preparation'. (ii) Page 2, Clause 0 5, lines and 5 (a) please read 'IS:1727-1960 Methods of Test for Pozzolanic Materials' for 'Indian Standard Methods of Test for Pozzolanic Materials' (*IS:1348) (b) Delete the footnote marked with a dagger '† Under preparation'. (iii) Page 3, Note under clause 2 2, lines 2 and 3 (a) please read 'IS:1727-1960 Methods of Test for Pozzolanic Materials' for 'Indian Standard Methods of Test for Pozzolanic Materials' (*IS:1348) (b) Delete the footnote marked with an asterisk '*Under preparation'.
2.	IS:1410-1959 Specification For Hawser-Laid Coir Rope	S.O. 830 dated 9 April 1960	Page 4, Table II, col 10, against Size Designation or Circumference '102' <i>please read</i>  <i>for</i>  cwt qr lb cwt qr lb 3 0 3 3 0 33
3.	IS:1487-1959 Specification For Edible Groundnut Flour (Expeller Pressed)	S.O. 1463 dated 11 June 1960	Page 8, clause H-1-2, lines 1 and 2 Please read '1.25 percent' for '12.5 percent'.
4.	IS:1520-1960 Specification For Horizontal Centrifugal Pumps For Clear, Cold, Fresh Water	S.O. 1742 dated 16 July 1960	(i) Page 4, caption of Fig 1—Delete the word 'Technical' from the caption of the figure. (ii) Page 4, clause 2-2, lines 5 and 6—Delete the words 'when the pump is working'.

(1)	(2)	(3)	(4)
			<p>(in) Page 4, clause 2.3, line 1 (heading) please read 'Suction Lift (h_s)' for 'Suction Lift (H_s)'</p> <p>(iv) Page 4, clause 2.3, second para.—The existing text has been substituted by a new one.</p> <p>(v) Page 4, clause 2.6, second para.—The existing text has been substituted by a new one</p> <p>(vi) Page 5, clause 2.8, line 1 (heading) <i>please read 'Static Delivery Head (Lift) (h_d)'</i> <i>for 'Static Delivery Lift (h_d)'</i></p> <p>(vii) Page 5, clause 2.9, line 2 { please read 'head' for 'lift'</p> <p>(viii) Page 5, clause 2.9, second para, line 4 please read 'that is, the vertical distance' for 'that is, the distance'</p> <p>(ix) Page 5, clause 2.10, line 5 please read 'total suction lift' for 'suction lift'</p> <p>(x) Page 5, clause 2.10 (a), line 9 please read 'a minimum of 300 mm' for '300 mm'</p> <p>(xi) Page 5, clause 2.10 (b), last line please read 'a minimum of 300 mm' for '300 mm'</p> <p>(xii) Page 5, clause 2.10 (c)— Read the following for the existing last sentence: 'Water level in the gauges is to be considered at the centre lines of the gauges'.</p> <p>(xiii) Page 18, clause 14.9— Read the following for the existing first sentence: 'The casing shall be of robust construction, and when it is of cast iron, it shall be close grained conforming to grade 12 of IS:210-1950'.</p> <p>(xiv) Page 19, clause A-1.2— Add the following at the end of this clause: 'If the discharge is expressed in litres per minute, the expression for specific speed is written as: $n_s = \frac{0.0149n\sqrt{Q}}{H^{\frac{3}{4}}}$</p> <p>(xv) Page 19, clause A-2.2, line 6 please read 'speeds from 200 to 800 rpm' for 'speeds 200 from to 800 rpm'</p> <p>(xvi) Page 22, Table III, right hand side Col. 1, seventh entry from the bottom—please read '350' for '250'</p>

(1)	(2)	(3)	(4)
5.	IS:1561-1962 Specification For set Squares For Use of Drawing Offices	S.O.553 dated 2 March 1963	<p>Page 4, Table I, under col. 2 'Minimum Thickness'</p> <p>(a) please read '2.0', '3.0' and '3.0' for '1.5', '1.5' and '2.0' respectively given against '200', '250' and '320' under col. 1 'Designation Size (A)—45 degree'</p> <p>(b) please read '2.0' and '3.0' for '1.5' and '2.0' respectively given against '250' and '320' under Col. 1 'Designation Size (A)—60 degree'</p>
6.	IS:1666-1961 Specification For Paper-Covered Rectangular Copper Conductors For Transformer Windings	S.O.2534 dated 28 October 1961	<p>Page 6, Table I, col 1 please read 'Thickness in mm' for 'Thickness', and 'Width in mm' for 'Width'</p>
7.	IS:1727-1960 Methods Of Test For Pozzolan Materials	S.O.1893 dated 12 August 1961	<p>(i) Page 2, clause 0.2, line 3 please read 'impermeabil y' for 'permeability'</p> <p>(ii) Page 3, sub-clause 0.4.1, line 4 please read 'would' for 'world'</p>
8.	IS:1728-1960 Specification For Sheet Metal Rain-water Pipes Up to 100 mm Nominal Size, Gutters, Fittings And Accessories	S.O.1176 dated 27 May 1961	<p>Page 5, Fig 5 and Fig 6—Interchange the position of these figures and amend their captions as under:</p> <p>please read 'Fig 5 Valley Gutters' for 'Fig 6 Eaves Gutters'</p> <p>please read 'Fig 6 Eaves Gutters' for 'Fig 5 Valley Gutters'</p>
9.	IS:1779-1961 Specification For 4-Meter, Levelling Staff, Holding Type	S.O.2937 dated 16 December 1961	<p>Abbreviation of 'metre' on page 4, Fig 1; Page 6, Fig 2; and Page 7, clause 8.2, line 1 please read 'm' for 'M'</p>
10.	IS:2073-1962 Specification For Carbon Steel Bars For Production of Machined Parts For General Engineering Purposes	S.O.2976 dated 29 September 1962	<p>Page 10, Clause 13.1, line 3—please read '20 mm' for '200 mm'</p>
11.	IS:2122-1962 Code of Practice For Installation And Maintenance of Belt Drives For Power Transmission	S.O.3881 dated 29 December 1962	<p>Page 14, sub-Clause 8.5.1, line 1—please read 'should not be' for 'Should be'</p> <p>Page 4, SI No. 1, col 5</p>
12.	IS:2199-1962 Test Chart For Radial Drilling Machines	S.O.1421 dated 25 May 1963	<p>please read for</p> <p>'Direction AB:01 'Direction AB:01/m Direction CD 0.1 Direction :01/m Base plate CD: 0.1 Base to be concave plate to be convex only (Maximum variation between spirit level readings).</p> <p>'Direction AB:01 'Direction AB:01/m Direction CD 0.1 Direction :01/m Base plate CD: 0.1 Base to be concave plate to be convex only (Maximum variation between spirit level readings).</p>
13.	IS:2223-1962 Dimensions Of Flange Mounted AC Induction Motors	S.O.898 dated 30 March 1963	<p>Page 5, clause 3.1, lines 2 and 3.—Delete the second sentence</p>

(1)	(2)	(3)	(4)
14.	IS:2265-1963 Specification For Galvanized Steel Wire Strand For Signalling Purposes	S.O.1147 dated 20 April 1963	Page 3, clause 0.4 last three lines please read 'B.S. 163: Part I: 1943 Galvanized Steel Wire Strand For Signalling Purposes, British Standards Institution,' for 'B.S.182-4: 1938 Galvanized Iron and Steel Wire For Telegraph And Telephone Purposes. British Standards Institution.'
15.	IS:2400-1963 Besan	Specification For S.O.2460 dated 31 August 1963	(i) Page 6, caption of the figure appearing under B-1, 1 please read 'Fig 2' for 'Fig 1' (ii) Page 4, sub-clause B-1.1.1, line 7 please read 'dip tube D' for 'dip tubed D'

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[No. MD/13:8.]

S.O. 3592.—In the notification published under S.O. 484 in the Gazette of India, Part II, Section 3(ii), dated the 16th February, 1963, in liscence No. CM/L-496, dated the 9th January, 1963 held by M/s. Sarvjit Electric Works, Goraya, additional varieties, namely, metal clad switches, 15 and 60 Amps of 500 Volts Grade have been included.

In the notification published under S.O. 2372 in the Gazette of India, Part II, Sub-Section 3(ii), dated the 24th August, 1963, in No. CM/L-559, dated the 10th July, 1963 held by M/s. Indian Cable Co. Ltd., Calcutta-1 additional variety, namely, PVC Cables of 650 Volts Grade has been included.

[No. MD/12:686.]

S.O. 3593.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that amendments to the Indian Standards, given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	IS : 85-1950 Methods of Test For Oil Pastes For Paints.	S.R.O. 658 dated 26 March 1955.	No. 1 October 1963	All quantities and dimensions in this standard have now been given in metric system.	15 December 1963.
2.	IS : 354-1952 Methods of Test For Resins.	S.R.O. 658 dated 26 March 1955.	No. 1 October 1963	All quantities and dimensions in this standard have now been given in metric system.	15 December 1963.
3.	IS : 369-1952 Specification For Electric Radiators For Domestic Use (<i>Tentative</i>)	S.R.O. 658 dated 26 March 1955.	No. 1 October 1963	Clause 4.6, line 3—substitute '2.5 m' for '8 ft'.	15 December 1963.
4.	IS : 522-1954 Specification For Enamel, Brushing, Exterior, Type 2 1) Undercoating, 2) Finishing Colour as Required (<i>Tentative</i>).	S.R.O. 658 dated 26 March 1955.	No. 1 June 1963]	All quantities and dimensions in this standard have now been given in metric system.	15 December 1963.
5.	IS : 599-1960 Specification For Twist Drills (<i>Revised.</i>)	S.O. 1633 dated 15 July 1961.	No. 1 October 1963	(i) Clause 4.1—Add the following Note at the end of the clause : 'Note—The taper square shank twist drills and bit stock twist drills which are usually manufactured from carbon steel may be of two-piece construction.' (ii) The existing sub-clause 4.8.1 has been substituted by a new one. (iii) The existing clause 6.2 has been substituted. (a) by a new one. (b) Delete Table IX and renumber 'Table X' to read as 'Table IX'.	15 December 1963.

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| 6. IS: 1292-1958 Specification For Mortar For Laying Silica Bricks. | S.O. 856 dated 25 April 1959. | No. 1 October 1963 | (iv) Item 8, the existing heading has been substituted by a new one. | 15 December 1963. |
| | | | (v) Sub-clause 8.2.3, line 3—Substitute 'Table IX' for Table 'X'. | |
| | | | (vi) The existing sub-clause 8.3.4 has been substituted by a new one. | |
| | | | (i) The existing clause 0.4 and sub-clause 0.4.1 have been substituted by new ones. | |
| | | | (ii) Clause 0.5—Delete reference 'to IS: 485-1953' and add the following: 'IS: 1527-1960 Methods of Chemical Analysis Of Fireclay And Silica Refractory Materials.' | |
| | | | IS: 1528-1962 Methods Of Sampling And Physical Tests For Refractory Materials'. | |
| | | | (iii) The existing clause 5.1 has been substituted by a new one. | |
| | | | (iv) Clause 11.1, line 2—Substitute '3 of IS: 1528-1962' for '5 of IS: 485-1953'. | |
| | | | (v) Clause 11.2, line 2—Substitute '3 of IS: 1528-1962' for '5 of IS: 485-1953'. | |
| 7. IS : 1422-1959 Specification For Cotton Duck, Scoured, Dyed Or Waterproofed. | S.O. 1572 dated 25 June 1960. | [No. 1 September 1963 | Sub-clause 4.8.1—The existing note has been substituted by a new one. | 15 December 1963. |
| 8. IS : 1424-1959 Specification For Cotton Canvas, Scoured, Dyed Or Waterproofed. | S.O. 1572 dated 25 June 1960. | No. 1 October 1963] | Sub-clause 4.8.1—The existing note has been substituted by a new one. | 15 December 1963. |
| 9. IS : 1608-1960 Method For Tensile Testing Of Steel Products Other than Sheet, Strip, Wire And Tube. | S.O. 814 dated 15 April 1961. | [No. 1 October 1963 | Sub-clause 6.2.1—Add the following new clauses after 6.2.1; re-number the subsequent clauses, sub-clauses and sub-sub-clauses; and change the cross references in them accordingly: '6.3 Determination Yield Stress. 6.3.1 Yield stress may be determined by divider method or drop-of-the-beam method in lever machines, or by the hesitation in the movement of the indicating pointer in the case of hydraulic machines. It frequently happens, especially in the case of steels of tensile strength over 75 | 15 December 1963. |

(1)	(2)	(3)	(4)	(5)	(6)
10.	IS : 1708:-1960 Methods Of Testing Small Clear Specimens Of Timber	S.O. 1893 dated 12 August 1961.	No. 1 October 1963	kgf/mm ² , that the yield point is ill-defined, and in such cases, the yield stress may be interpreted as 0.2 percent proof stress. (i) Designation of the standard on the cover page and subsequent pages. Substitute 'IS:1708 (Part I)-1960' for 'IS: 1708-1960'. (ii) The existing title of the standard on cover page, and pages 1 and 2 has been substituted by a new one.	15 December 1963.
11.	IS: 2168:1962 Specification For Pom-fret Canned In Oil.	S.O. 1682 dated 22 June 1963.	No. 1 October 1963	Clause A-1.1—Delete this clause and renumber the subsequent clauses 'A-1.2 and A-1.3' to read as 'A-1.1 and A-1.2', respectively.	15 December 1963.
12.	IS: 2236-1962 Specification For Prawns (Shrimp) Canned In Brine.	S.O. 898 dated 30 March 1963	No. 1 October 1963	Clause A-1.1—Delete this clause and the subsequent clauses 'A-1.2 and A-1.3' to read as 'A-1.1 and A-1.2', respectively.	15 Dec. 1963.
13.	IS : 2237-1962 Specification For Frozen Prawns (Shrimp).	S.O. 1147 dated 20 April 1963.	No. 1 October 1963	Clause A-1.1—Delete this clause and renumber the subsequent clauses 'A-1.2, A-1.3 and A-1.4' to read as 'A-1.1, A-1.2 and A-1.3', respectively.	15 Dec. 1963.

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[No. MD/13:5]

S. K. SEN

Head of the Certification Marks Department.